

# **RUNNING FOR PUBLIC OFFICE**

**A “Plain English” Handbook for Candidates**

**Published by the  
State Board of Election Commissioners**

**in conjunction with the  
Office of the Secretary of State  
and the  
Arkansas Ethics Commission**

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# INTRODUCTION

## **Purpose**

Arkansas Code Annotated § 7-4-101 charges the State Board of Election Commissioners with publishing a candidate handbook outlining, in a readable and understandable format, the legal obligations of a candidate. The handbook explains the necessary qualifications for holding public office, identifies filing procedures for candidates, and outlines candidates' reporting requirements in Arkansas law. With the assistance of the Secretary of State and the Arkansas Ethics Commission, this handbook is available to all citizens.

## **Helpful Addresses**

State Board of Election Commissioners  
501 Woodlane, Suite 122  
Little Rock, AR 72201  
Office: 501-682-1834 OR 1-800-411-6996  
Fax: 501-682-1782  
Internet site: [www.state.ar.us/sbec](http://www.state.ar.us/sbec)

### **For questions on candidate qualifications and filing procedures:**

Secretary of State  
Elections Division  
State Capitol, Room 026  
Little Rock, AR 72201  
Office: 501-682-5070 OR 1-800-482-1127  
Fax: 501-682-3408 OR 501-682-3548  
Internet site: [www.sosweb.state.ar.us](http://www.sosweb.state.ar.us)

### **For questions on campaign finance and disclosure requirements:**

Arkansas Ethics Commission  
910 West Second Street, Suite 100  
Little Rock, AR 72201  
Office: 501-324-9600 OR 1-800-422-7773  
Fax: 501-324-9606  
Internet site: [www.arkansasethics.com](http://www.arkansasethics.com)

### **The recognized political parties in Arkansas are the:**

Democratic Party of Arkansas  
1300 West Capitol Avenue  
Little Rock, AR 72201  
501-374-2361

Republican Party of Arkansas  
1201 West Sixth Street  
Little Rock, AR 72201  
501-372-7301

## **Glossary of Terms**

- **Affidavit of Eligibility** - any political party candidate must file an affidavit of eligibility stating that the candidate complies with the eligibility requirements of the office. The “affidavit of eligibility” shall be filed along with the filing fee and party pledge, if necessary.
- **Candidate** - any person who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to a public office.
- **Contribution** - direct or indirect advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate. “Contribution” includes tickets for events such as dinners, luncheons, rallies, similar fund raising events; discounts or rebates by television and radio stations and newspapers not extended equally to all candidates for the same office; payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report. “Contribution” further includes any transfer of anything of value received by a committee from another committee. “Contribution” **shall not include** noncompensated, nonreimbursed, volunteer personal services or travel.
- **Election** - the process in which qualified electors nominate or elect a candidate to public office, including school elections. A preferential primary, a general primary (primary runoff), a special election, a general election, and a general election runoff each constitute a separate election.
- **Expenditure** - a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure for the purpose of influencing the nomination or election of any candidate.
- **Exploratory Committee** - a person who receives contributions which are held to be transferred to the campaign of a single candidate in an election. “Exploratory committee” **shall not include** an organized political party as defined in § 7-1-101(17), or the candidate’s own campaign committee.
- **Financial Institution** - any commercial bank, savings and loan, mutual savings bank or savings bank, credit union, insurance company, brokerage house, or any corporation that is in the business of lending money and that is subject to state or federal regulation.
- **Governmental Body** - any office, department, commission, council, board, committee, legislative body, agency, or other establishment of the executive, judicial, or legislative branch of the state, municipality, county, school district, improvement district, or any political district or subdivision thereof.

- **Independent Expenditure** - any expenditure which is not a contribution and which expressly advocates the election or defeat of a candidate, is made without arrangement, cooperation, or consultation with any candidate, and is not made in concert with, or at the request or suggestion of any candidate or any authorized committee or agent of the candidate.
- **Independent Expenditure Committee** - any person who receives contributions from one or more persons in order to make an independent expenditure and is registered pursuant to § 7-6-215 prior to making expenditures.
- **In-kind Contribution** - a contribution of goods, services, or any other thing of value, or its use, other than money, including an agreement made or other obligation incurred, whether legally enforceable or not, to make such a contribution in the future. "In-kind contribution" **shall not include** direct campaign contributions.
- **Party Certificate** – a written statement or receipt signed by the secretary or chairman of the county committee or of the state committee, as the case may be, of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position the candidate seeks, payment of the fees, and filing of the party pledge, if any, required by the political party.
- **Party Filing Fees** - a fee imposed by the political party on a candidate seeking that party's nomination. "Party filing fees" are to be paid at the time the candidate files the party pledge, the "Party Certificate," and the "Political Practice Pledge."
- **Person** - any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. "Person" shall also include organized political parties as defined in § 7-1-101(17).
- **Political Action Committee (PAC):**
  - 1) **Approved PAC** - any person who receives contributions from one (1) or more persons in order to make contributions to candidates. An "Approved political action committee" must not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year and must be registered pursuant to § 7-6-215 for at least four (4) continuous months prior to making contributions to candidates. "Approved political action committee" **shall not include** an organized political party, the candidate's own campaign committee, or an exploratory committee.
  - 2) **Prohibited PAC** - any person who receives contributions from one or more persons in order to make contributions to candidates, but who does not meet the requirements of an approved PAC or a small donor PAC. "Prohibited political action committee" **shall not include** an organized political party, the candidate's own campaign committee, or an exploratory committee.
  - 3) **Small Donor PAC** - any person who receives contributions from one or more individuals in order to make contribution to candidates. A "Small donor political action committee" must not accept any contributions or cumulative contributions in excess of twenty-five dollars (\$25) from any individual in any calendar year and must be registered pursuant to

§ 7-6-215 prior to making contributions to candidates. “Small donor political action committee” **shall not include** an organized political party, the candidate’s own campaign committee, or an exploratory committee.

- **Political Practice Pledge** - a written pledge by the candidate stating that he or she is familiar with the requirements of Arkansas law regarding unlawful election activities and their penalties, and that he or she will in good faith, comply with the terms of the law.
- **Public Appointee** - an individual who is appointed to a governmental body. “Public appointee” **shall not include** an individual appointed to an elective office.
- **Public Employee** - an individual who is employed by a governmental body or who is appointed to serve a governmental body. “Public employee” **shall not include** public officials or public appointees.
- **Public Office** - any office created by or under authority of the laws of the State of Arkansas, or of a subdivision thereof, that is filled by the voters, except a federal office.
- **Public Official** - a legislator or any other person holding an elective office of any governmental body, whether elected or appointed to the office, and shall include such persons during the time period between the date they are elected and the date they took office.
- **Public Servant** - all public officials, public employees, and public appointees.
- **Qualified Elector** - a person who holds the qualifications of an elector and is registered pursuant to Arkansas Constitution, Amendment 51.
  - 1) Must be a U. S. citizen
  - 2) Must be an Arkansas resident
  - 3) Must be a minimum of 18 years of age
  - 4) Must not presently be adjudged mentally incompetent by a court of competent jurisdiction
  - 5) Must not have been convicted of a felony without the sentence having been discharged or pardoned
  - 6) Must not claim the right to vote in another county or state



# QUALIFICATIONS

## **Federal Offices**

### **President:**

- Four year term of office
- Limited to two (2) four year terms
- Must be born a U. S. citizen
- Must be a U. S. resident for fourteen (14) years
- Must be a minimum of 35 years of age

### **For additional information see:**

- Electors - A.C.A. § 7-8-301, § 7-8-302
- Ballot access for Independent Presidential Candidates - A.C.A. § 7-8-302

### **For exploratory and candidacy organization information contact:**

- The Federal Election Commission (FEC)  
1-800-424-9530
- Reference forms:  
FEC Form 2, Statement of Candidacy  
FEC Form 1, Statement of Organization

### **U. S. Senate:**

- Six year term of office
- Must be a U. S. citizen for nine (9) years
- Must be an Arkansas resident
- Must be a minimum of 30 years of age

### **U. S. House of Representatives:**

- Two year term of office
- Must be a U. S. citizen for seven (7) years
- Must be an Arkansas resident
- Must be a minimum of 25 years of age

## **State Offices**

### **Governor and Lieutenant Governor:**

- Four year term of office
- Limited to two (2) four year terms
- Must be a U. S. citizen
- Must be an Arkansas resident for seven (7) years
- Must possess the qualifications of an elector
- Must be a minimum of 30 years of age
- Shall not hold any other state or federal office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

### **Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands:**

- Four year term of office
- Limited to two (2) four year terms
- Must be a U. S. citizen
- Must be an Arkansas resident
- Must possess the qualifications of an elector
- Shall not hold any other state or federal office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

## **District Offices - Arkansas General Assembly**

**AG Opinion 92-274 states that the General Assembly candidates must meet residency requirements by the time of the general election.**

### **State Senate:**

- Four year term of office
- Limited to two (2) four year terms\*
- Must be a U. S. citizen
- Must be an Arkansas resident for two (2) years preceding election
- Must be a resident of the district to be represented for one (1) year preceding election
- Must possess the qualifications of an elector
- Must be a minimum of 25 years of age
- Shall not hold any other state, federal, or civil office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

\* House Joint Resolution 1006 proposing to amend Amendment 73 to the Arkansas Constitution concerning term limits for members of the General Assembly will be submitted to the electors of the state at the 2004 General Election.

## **State House of Representatives:**

- Two year term of office
- Limited to three (3) two year terms\*
- Must be a U. S. citizen
- Must be an Arkansas resident for two (2) years preceding election
- Must be a resident of the district to be represented for one (1) year preceding election
- Must possess the qualifications of an elector
- Must be a minimum of 21 years of age
- Shall not hold any other state, federal, or civil office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

## **Judicial Offices**

### **Appellate Courts (Supreme Court and Court of Appeals):**

- Eight year term of office
- Must be licensed attorney in Arkansas for at least eight (8) years immediately preceding the date of assuming office
- Must be a qualified elector within geographic area from which chosen
- Shall not hold any other state or federal office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

### **Circuit Court (Formerly Circuit, Chancery, Circuit/Chancery, Probate, and Juvenile Court):**

- Six year term of office
- Must be a resident of geographic area from which chosen; must reside there at time of election and during period of service  
**NOTE:** Geographic area may include any county contiguous to the county to be served when there are no qualified candidates available in the county to be served
- Must be a qualified elector
- Must be licensed attorney in Arkansas for at least six (6) years immediately preceding the date of assuming office
- Shall not hold any other state or federal office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

### **District Court (Formerly Municipal Court, Corporation Court, Police Court, JP Court, and Court of Common Pleas):**

- Four year term of office
- Must be a resident of geographic area from which chosen; must reside there at time of election and during period of service

\* House Joint Resolution 1006 proposing to amend Amendment 73 to the Arkansas Constitution concerning term limits for members of the General Assembly will be submitted to the electors of the state at the 2004 General Election.

**NOTE:** Geographic area may include a county contiguous to the county to be served when there are no qualified candidates available in the county to be served

- Must be a qualified elector
- Must be licensed attorney in Arkansas for at least four (4) years immediately preceding the date of assuming office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

### **Prosecuting Attorney**

- Four year term of office
- Must be a qualified elector within judicial circuit from which elected; shall reside there at time of election and during period of service
- Must be licensed attorney in Arkansas for at least four (4) years immediately preceding the date of assuming office
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

### **County, Township, Municipal & School District Offices**

#### **County and Township Offices\*:**

- Two year term of office
- Must be a resident within the respective township, justice of the peace district, or county to be represented
- Must possess the qualifications of an elector
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime

\* Applies to all elected county offices except County Judge and County Surveyor

#### **County Judge:**

- Two year term of office
- Must be a U. S. citizen
- Must be an Arkansas resident two (2) years prior to election
- Must be a resident of the county at time of election and during term of office
- Must be a minimum of 25 years of age
- Must be a person of upright character
- Must be a person of good business education
- Must never have been convicted of embezzlement of public money, bribery, forgery, or other infamous crime
- Must possess the qualifications of an elector

#### **County Surveyor:**

- Must be registered as a land surveyor, in addition to general requirements listed above for other county officers

### **Municipal Offices\***

- Must meet all qualifications of registered voter
- Must live in jurisdiction to be represented at time of filing and throughout term
- \* Applies to all elected municipal offices except district judge as listed above

### **With Mayor-Council Form of Government:**

- See Table on page 10

### **With City Manager Form of Government:**

- See Table on page 11

### **With City Administrator Form of Government:**

- Contact the Secretary of State Election Division at 501-682-5070 or 1-800-482-1127

### **School Board**

- Must be a qualified voter whose name has been filed and certified by the county clerk
- Must be a resident of the district and respective electoral zone if elected from zones

**MUNICIPAL OFFICES**  
**WITH MAYOR-COUNCIL FORM OF GOVERNMENT**

OFFICE	FIRST CLASS CITY		SECOND CLASS CITY	INCORPORATED TOWN
	Population of 50,000 or more	Population Under 50,000		
<b>MAYOR</b>	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of Town Minimum Age: 18 Years
<b>ALDERMAN</b>	Term: 4 Years Qualified Elector Resident of Respective Ward Minimum Age: 18 Years	Term: 2 Years** Qualified Elector Resident of Respective Ward Minimum Age: 18 Years	Term: 2 Years**** Qualified Elector Resident of Respective Ward Minimum Age: 18 Years	Term: 2 Years Qualified Elector Resident of Town Minimum Age: 18 Years
<b>CITY CLERK</b>	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years		
<b>MUNICIPAL ATTORNEY</b>	Term: 4 Years Qualified Elector Regularly Licensed Attorney Resident of City*** Minimum Age: 18 Years  Other qualifications may be set by City Ordinance	Term: 4 Years Qualified Elector Regularly Licensed Attorney Resident of City*** Minimum Age: 18 Years	Term: 2 Years Qualified Elector Regularly Licensed Attorney Resident of City ( If no Attorney in city, then appointed by Mayor and City Council & must be licensed in state) Minimum Age: 18 Years * See Note Below	Term: 2 Years Qualified Elector Regularly Licensed Attorney Resident of Town ( If no attorney in town, then appointed by Mayor and town council & must be licensed in state) Minimum Age: 18 Years *See Note Below
<b>CITY TREASURER OR CLERK/TREASURER</b>	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years	Term: 4 Years Qualified Elector Resident of City Minimum Age: 18 Years  (City recorder & city treasurer offices may be combined.)	Term: 2 Years Qualified Elector Resident of Town Minimum Age: 18 Years
<b>CITY OR TOWN RECORDER</b>				
<b>CITY COLLECTOR</b>	Created by City Ordinance A.C.A. 14-43-508	Created by City Ordinance A.C.A. 14-43-508	Term: 2 Years Qualified Elector Minimum Age: 18 Years	
<b>CITY/TOWN MARSHAL</b>			Term: 2 Years (May be appointed or elected.) Qualified Elector Residency qualifications of appointed marshals determined by city or town Minimum Age: 18 Years	Residency qualifications determined by town Created by Municipal Ordinance A.C.A. 14-45-109

\* All cities of the second class and incorporated towns within the state may elect a municipal attorney at the time of the election of other officers of these cities of the second class and incorporated towns, if it is not established by ordinance that the office of the city attorney will be appointed.

\*\* Any city of the first class may, by ordinance referred to and approved by the voters, elect two aldermen from each ward to four-year terms, resulting in staggered terms with one alderman being elected to a four-year term from each ward every two years, with an initial two-year term for position 2.

\*\*\* If no resident attorney of the city is available, the city may contract with any licensed attorney of the state.

\*\*\*\* Any second-class city may, by ordinance referred to and approved by the voters, elect two aldermen for each ward for four-year terms.

**MUNICIPAL OFFICES  
WITH  
CITY MANAGER FORM OF GOVERNMENT**

<b>OFFICE</b>	<b>CITY (with population of 2,500 or more)</b>
<b>BOARD OF DIRECTORS (7 MEMBER)</b>	Term: 4 Years; may serve successive terms of office Qualified Elector Resident of the municipality for at least thirty (30) days prior to election Minimum Age: 21 Years
<b>MAYOR</b>	Member of the board of directors elected by the board to serve as chairman of the board. Term: 2 Years*; may serve successive terms; or a 4 year term if elected by the voters in a special election Qualified Elector Resident of the municipality for at least thirty (30) days prior to election to the board Minimum Age: 21 Years
<b>ASSISTANT MAYOR</b>	Member of the board of directors elected by the board Term: 2 Years**; may serve successive terms Qualified Elector Resident of the municipality for at least thirty (30) days prior to election to the board Minimum Age: 21 Years
<b>CITY MANAGER</b>	Employed by the board and/or in certain cities having a population of over one hundred thousand (100,000) persons, the Mayor may employ and remove the City Manager Term: Indefinite Reside in the city during employment*** Possess special qualifications in respect to the management of municipal affairs
<b>CITY CLERK</b>	Appointed by the board Term: Fixed by the board by ordinance, held at the will of the board, and subject to removal and replacement at any time by the board Qualified Elector
<b>CITY ATTORNEY</b>	Appointed by the board and/or in cities having a population of over one hundred thousand (100,000) persons the City Manager may appoint the City Attorney Term: Fixed by the board by ordinance, held at the will of the board, and subject to removal and replacement at any time by the board Qualified Elector
<b>CITY TREASURER</b>	Appointed by the board Term: Fixed by the board by ordinance, held at the will of the board, and subject to removal and replacement at any time by the board Qualified Elector <b>NOTE: The board may consolidate the office of city treasurer with the office of city clerk.</b>
<b>RECORDER</b>	Appointed by the board Term: Fixed by the board by ordinance, held at the will of the board, and subject to removal and replacement at any time by the board Qualified Elector
<b>CITY MARSHAL</b>	Appointed by the board Term: Fixed by the board by ordinance, held at the will of the board, and subject to removal and replacement at any time by the board Qualified Elector

\* The board of directors of any city may provide by ordinance that the term of mayor in the city shall be one (1) year, in which event the mayors of the city selected thereafter shall be selected for and serve terms of one (1) year.

\*\* The board may rotate the assistant mayor among all or part of its membership for a term of not less than six (6) consecutive months.

\*\*\* Upon approval of a majority of the board, the city manager of a city with a population of less than six thousand (6,000) persons may reside outside the city during his employment as city manager.

# FILING PROCEDURES

## **Political Party Candidates**

### **Federal, State, and District Offices:**

- Must file a “Party Certificate” and a “Political Practice Pledge” with the Secretary of State no later than 12:00 noon fourteen (14) days after the third Tuesday in March, before the preferential primary election

**NOTE:** A “Party Certificate” is a written statement or receipt signed by the secretary or chairman of the state committee of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position sought, payment of fees, and filing of party pledge.

### **County, Municipal, and Township Offices:**

- Must file a “Party Certificate” and a “Political Practice Pledge” with the county clerk no later than 12:00 noon fourteen (14) days after the third Tuesday in March, before the preferential primary election

**NOTE:** A “Party Certificate” is a written statement or receipt signed by the secretary or chairman of the county committee of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position sought, payment of fees, and filing of party pledge.

**NOTE:** Municipal candidates for city manager form of government do not file a “Political Practice Pledge”

**NOTE:** No political practices pledge may be accepted for filing by the Secretary of State or county clerk, as the case may be, unless the candidate first files a party certificate. The name of a candidate who fails to file a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

## **School Board**

- Petitions must be filed with and verified by the county clerk

**NOTE:** The county clerk shall certify to the county board of election commissioners that the petition contained at least twenty (20) qualified registered voters, residents of the district and respective electoral zone, if directors are elected from zones, at least forty-five (45) days before the annual school election. (School board candidates are not required to file a political practice pledge).



## **Independent Candidates**

### **General Filing Procedures (except for Municipal and Judicial Candidates)**

- Petitions shall be circulated no earlier than March 2, 2004
- Filing deadline for candidate petitions and political practice pledges is May 1, 2004
- Notice of candidacy (intent) due by noon, March 30, 2004

### **U.S. Senate or State Offices:**

- Must file a notice of candidacy (intent) identifying the elective office
- Must file a nominating petition with the Secretary of State by May 1 of the election year
- The petition shall have not less than 3% of the qualified electors for the state, based on the totals for Governor in 2002 in that jurisdiction, or 10,000 signatures of qualified electors, whichever is the lesser.

### **U.S. House or District Offices [U.S. Congress, State Senator, State Representative]:**

- Must file a notice of candidacy (intent) identifying the elective office
- Must file a nominating petition with the Secretary of State by May 1 of the election year
- Candidates for District Office will get signatures equal to 3% of the total of qualified electors, based on the total votes for Governor in that district in 2002; in no event shall more than 2,000 signatures be required.

### **County Offices:**

- Must file a notice of candidacy (intent) identifying the elective office
- Must file a nominating petition with the county clerk
- Candidates for county offices will get signatures equal to 3% of the total of qualified electors, based on the total votes for Governor in that county in 2002, in no event shall more than 2,000 signatures be required. Candidates will get the total number of qualified electors from their county clerk.

### **Municipal Offices\*:**

- Municipal candidates for cities of the 1<sup>st</sup> class—signatures from not less than 30 qualified electors of the ward or city in which the election is to be held; petition to be filed with the county clerk not more than 110 nor less than 90 days before the election by noon
- Municipal candidates for cities of the 2<sup>nd</sup> class and Incorporated Towns—signatures from not less than 10 qualified electors of the ward or city in which the election is to

- be held; petition to be filed with the county clerk not more than 110 nor less than 90 days before the election by noon
- Municipal candidates for cities with city manager form of government – signatures from not less than 50 qualified electors of the city; petition to be filed with city clerk or recorder not more than 80 nor less than 60 days before the election by noon.

\* All municipal independent candidates (except for city manager form of government) must file with the county clerk a Political Practice Pledge at the time of filing the petition of nomination.

### **Non-partisan Judicial Offices:**

- Must pay filing fee for the offices of Supreme Court Justice, judge of the Court of Appeals, and circuit judge to the Secretary of State at the same time the candidate files his or her political practices pledge
- Must pay filing fee for the office of district judge to the county clerk at the same time the candidate files his or her political practices pledge
- Filing period will begin at 12:00 noon on the third Tuesday in March and end at 12:00 noon on the fourteenth day thereafter.

### **Alternate Ballot Access for Judicial Offices:**

- First day for judicial candidates to begin circulating petitions is December 15, 2003
- First day to file petitions for a judicial office is noon on January 30, 2004
- Last day to file petitions for a judicial office is noon on February 13, 2004
- Supreme Court, Court of Appeals and Circuit Court petitions shall be filed with the Secretary of State
- Supreme Court candidates shall file petitions signed by at least 10,000 qualified electors or 3% of the qualified electors residing within the state, which ever is the lesser
- Court of Appeals shall file petitions signed by 3% of the qualified electors residing within the court of appeals district for which the candidate seeks office, but in no event shall more than 2,000 signatures be required
- Circuit Judge candidates shall file petitions signed by 3% of the qualified electors residing within the circuit for which the candidate seeks office, but in no event shall more than 2,000 signatures be required
- District Judge candidates shall file petitions signed by at least 30 qualified electors who reside within the district for which the candidate seeks office

## **Write-in Candidates**

Write-in candidates are not allowed in presidential, municipal, or primary elections.

### **State, Federal, and District Offices:**

- Must file written notice of intent to be a write-in candidate with the county board of election commissioners and the Secretary of State no earlier than noon on the third Tuesday in March and not later than ninety (90) days before the election day  
**NOTE:** If more than one (1) county in the district, must file with the county board of election commissioners of each county.
- Must file a “Political Practice Pledge” with the Secretary of State at the time of filing the notice to be a write-in candidate

### **County and Township Offices:**

- Must file written notice of intent to be a write-in candidate with the county board of election commissioners and the county clerk no earlier than noon on the third Tuesday in March and not later than ninety (90) days before the election day
- Must file a “Political Practice Pledge” with the county clerk of the county at the time of filing the notice to be a write-in candidate

### **School Board:**

- Must provide written notice to the county board of election commissioners of intention to be a write-in candidate, not later than forty (40) days before the annual school election

### **Non-partisan Judicial Offices:**

- Supreme Court, Court of Appeals or circuit judge candidates must give notice in writing to the Secretary of State of their intention to be a write-in candidate
- District judge candidates must give notice in writing to the county clerk or clerks of the county or counties in their district of their intention to be a write-in candidate
- Written notice must be given not later than March 19, 2004
- Write-in candidates shall file a political practice pledge at the same time as filing a notice of intention

# CAMPAIGN FINANCE & DISCLOSURE REQUIREMENTS

The campaign finance and public disclosure laws of Arkansas require candidates for public office to file disclosure documents relating to their campaigns, as well as their personal financial interests. Public office includes any and all state, district, county, municipal and township offices, as well as school boards.

Candidates for State, District, County, Municipal, Township, and School Board offices must file certain **“Campaign Contribution and Expenditure Reports”** when contributions received or expenditures made in any election exceed five hundred dollars (\$500). A candidate is required to file a final report for each election in which the candidate’s name has appeared on the ballot regardless of whether he or she has received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate’s personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, a candidate who has used his or her personal funds to pay the filing fee is required to report same. Such a candidate would report the funds used to pay the filing fee as either a loan or a contribution to the campaign from the candidate and also as a campaign expenditure.

Candidates for State, District, County, Municipal, Township, and School Board must file a **“Statement of Financial Interest”** for the previous calendar year within thirty (30) days after the deadline for filing for office. Non-incumbent candidates must file a **“Statement of Financial Interest”** for calendar year 2003 by April 29, 2004.

Candidate disclosure forms are available in the “Forms” section of this handbook and are filed as follows:

OFFICE SOUGHT	CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORTS	STATEMENT OF FINANCIAL INTEREST
STATE	with Secretary of State (pp. 75, 87)	with Secretary of State (p. 120)
DISTRICT	with Secretary of State (pp. 75, 87)	with Secretary of State (p. 120)
COUNTY	with County Clerk (p. 101)	with County Clerk (p. 120)
MUNICIPAL	with County Clerk (p. 101)	with City Clerk or Recorder (p. 120)
TOWNSHIP	with County Clerk (p. 101)	with County Clerk (p. 120)
SCHOOL BOARD	with County Clerk (p. 101)	with County Clerk (p. 120)

# CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

## **State and District Candidates:**

The “Campaign Contribution and Expenditure Report” makes public record the names of the individuals or businesses who financially support the candidate's campaign, as well as, the campaign's expenditures. Blank reporting forms are available from the Secretary of State and in the “Forms” section of this handbook.

**A candidate is not required to file any quarterly, monthly or preelection reports until the candidate has either received contributions or made expenditures in excess of five hundred dollars (\$500). Final reports are required regardless of whether a candidate has received contributions or made expenditures in excess of five hundred dollars (\$500).**

## **Quarterly Report:**

- Filed with the Secretary of State
- For each quarter during a calendar year in which a candidate is not listed on any ballot for election, a quarterly report of all contributions received and expenditures made during that quarter shall be filed no later than fifteen (15) days after the end of each quarter.

## **Monthly Report:**

- Filed with the Secretary of State
- Covers from the first day through the last day of the month\*
- Due each month of the calendar year in which a candidate's name may appear on any ballot for election
- Due no later than fifteen (15) days after the end of each month\*
- Considered timely filed if postmarked on the date that the report is due

**NOTE:** No monthly report shall be due for any month in which certain days of that month are included in a preelection report or a final report.

## **Preelection Report:**

- Filed with the Secretary of State
- Covers the period between the previous report and ten (10) days before the election\*
- Due no later than seven (7) days prior to an election\*
- Considered timely filed if received in the Secretary of State's office no later than seven (7) days prior to the election for which it is filed

**NOTE:** A candidate who is unopposed in a particular election is not required to file a preelection report for that election.

\* See calendar on pages 21-23

**Final Report:**

- Filed with the Secretary of State
- Due within thirty (30) days after the end of the month in which the candidate's name has appeared on the ballot in any primary, runoff, or general election\*
- Closes out the handling of the financing for each election in which the candidate's name has appeared on the ballot.

**NOTE:** In the case of a primary or runoff election, those days of the month occurring after the date of such election shall be carried forward and included in the next monthly report.

**NOTE:** The Secretary of State shall accept faxed copies of any report if the original is received within ten (10) days of the date of transmission. Reports in a readable electronic format acceptable to the Secretary of State and approved by the Arkansas Ethics Commission may be received by the Secretary of State.

\*See calendar on pages 21-23

## **County, Municipal, Township, and School Board Candidates:**

The “Campaign Contribution and Expenditure Report” makes public record the names of the individuals or businesses who financially support the candidate's campaign, as well as, the campaign's expenditures. Blank reporting forms are available from the county clerk's office and in the “Forms” section of this handbook.

**A candidate is not required to file a preelection report if he or she has not received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, a candidate who has used his or her personal funds to pay the filing fee is required to report same. Such a candidate would report the funds used to pay the filing fee as either a loan or a contribution to the campaign from the candidate and also a campaign expenditure. A candidate is required to file a final report for each election in which the candidate's name has appeared on the ballot regardless of whether he or she has received contributions or made expenditures in excess of five hundred dollars (\$500).**

### **Pre-election Report:**

- Filed with the county clerk in the county in which the election is held
- Covers all contributions received and expenditures made between the period covered by the previous report, if any, and the period ten (10) days before the election\*
- Due no later than seven (7) days prior to preferential primary elections, runoff elections, general elections, school elections, and special elections in which the candidate's name appears on the ballot\*

**NOTE:** A candidate who is unopposed in a particular election is not required to file a preelection report for that election.

### **Final Report:**

- Filed with the county clerk in the county in which the election is held
- Covers all contributions received and expenditures made which have not been disclosed on reports previously required to be filed\*
- Due no later than thirty (30) days after any preferential primary election, runoff election, general election, school election, or special election in which the candidate's name has appeared on the ballot\*
- Closes out the handling of the financing for each election in which the candidate's name has appeared on the ballot.

\* See calendar on pages 24-25

**Supplemental Report:**

- Filed with the county clerk in the county in which the election is held
- Covers all contributions received and expenditures made after the date of preparation of the final report
- Due within thirty (30) days after the receipt of a contribution or the making of an expenditure\*

\*See calendar on pages 24-25



# ARKANSAS ETHICS COMMISSION

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## 2004 REPORTING CALENDAR FOR STATE OR DISTRICT CANDIDATES

A candidate is not required to file any quarterly, monthly or preelection reports until the candidate has either received contributions or made expenditures in excess of five hundred dollars (\$500). Final reports are required regardless of whether a candidate has received contributions or made expenditures in excess of five hundred dollars (\$500).

January 15, 2004	Quarterly report for 4 <sup>th</sup> quarter of 2003 due. Covers period October 1, 2003 through December 31, 2003.*
February 2, 2004	Statement of Financial Interest for calendar year 2003 due from all incumbent officeholders.
February 16, 2004	January monthly report due. Covers period January 1-31.*
March 15, 2004	February monthly report due. Covers period February 1-29.*
April 15, 2004	March monthly report due. Covers period March 1-31.*
April 29, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates.
May 11, 2004	If opposed in primary, preelection report due for primary election. Covers period April 1- May 8.*
May 17, 2004	If unopposed in primary, April monthly report due. Covers period April 1-30.*
<b>May 18, 2004</b>	<b>Primary Election</b>
<b>June 8, 2004</b>	<b>† Primary Election Runoff</b>

† IF YOU ARE INVOLVED IN A PRIMARY ELECTION RUNOFF, TWO ADDITIONAL REPORTS ARE DUE.

June 1, 2004	Preelection report due for primary election runoff. Covers period May 19-29.
July 30, 2004	Final report due for primary election runoff. Covers period May 30 through June 8 or, if candidate lost election, through the date the report is filed.

\* If this is candidate's first report, it covers all campaign activity which has occurred through the closing date of the reporting period.

June 30, 2004	Final report due for primary election. If candidate was unopposed in primary election, report covers May 1 through May 18.* If candidate was opposed in primary election, report covers May 9 through May 18 or, if candidate lost election, May 9 through the date the report is filed.*
July 15, 2004	If candidate was not involved in a primary election runoff, June monthly report due. Covers May 19 through June 30.**
August 4, 2004	Deadline to file as write-in candidate.
August 5, 2004	First day unopposed candidates may dispose of surplus funds, if an affidavit is filed with the Secretary of State pursuant to Ark. Code Ann. § 7-6-203(h)(2). Unopposed and defeated candidates are exempt from further reporting requirements if the affidavit states that the campaign fund has a zero balance.
August 16, 2004	July monthly report due. If candidate was not involved in a primary election runoff, report covers July 1 through July 31.** If candidate was involved in a primary election runoff, report covers June 9 through July 31.**
September 15, 2004	August monthly report due. Covers period August 1-31.*
October 15, 2004	September monthly report due. Covers period September 1-30.*
October 26, 2004	If opposed in general election, preelection report is due. Covers period October 1-23.*
<b>November 2, 2004</b>	<b>General Election</b>
November 15, 2004	If unopposed in general election, October monthly report due. Covers period October 1-31.*
<b>November 23, 2004</b>	<b>†† General Election Runoff</b>

†† IF YOU ARE INVOLVED IN A GENERAL ELECTION RUNOFF, TWO ADDITIONAL REPORTS ARE DUE.

November 16, 2004	Preelection report due for general election runoff. Covers period November 3 through November 13.
December 30, 2004	Final report due for general election runoff. Covers period November 14 through the date the report is filed.

December 30, 2004	Final report due for general election. If candidate was unopposed in the general election, final report for general election covers November 1 through the date the report is filed.** If candidate was opposed in the general election and was not involved in a general election runoff, final report for general election covers October 24 through the date the report is filed.** If candidate was involved in a general election runoff, final report for general election covers October 24 through November 2.**
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\* If this is candidate's first report, it covers all campaign activity which has occurred through the closing date of the reporting period.

\*\* If this is candidate's first report since final report for primary election, it covers all campaign activity which has occurred May 19 through the closing date of the reporting period.

**Please note:**

- 1. Reports must be filed with the Secretary of State. Postmark date is not used as date of filing when report is a preelection report.**
- 2. Reports may be faxed to the Secretary of State [(501) 682-3408] provided that the notary seal is legible (i.e., either stamped or raised and inked) and the original is received by the Secretary of State within ten (10) days of the date of transmission.**
- 3. In calculating the amount of contributions received or expenditures made for purposes of determining whether a candidate has received contributions or made expenditures in excess of five hundred dollars (\$500), the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, a candidate who has used his or her personal funds to pay the filing fee is required to report same. Such a candidate would report the funds used to pay the filing fee as either a loan or a contribution to the campaign from the candidate and also as a campaign expenditure.**
- 4. By virtue of Act 332 of 2003, all candidates are now required to file a final report for the primary election regardless of whether or not they were opposed in the primary election.**

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## 2004 REPORTING CALENDAR COUNTY/MUNICIPAL CANDIDATES

February 2, 2004	Statement of Financial Interest for calendar year 2003 due from all incumbent officeholders.
April 29, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates.
May 11, 2004	If opposed in primary election, preelection report* due for primary election. This report covers all campaign activity through May 8, 2004.
<b>May 18, 2004</b>	<b>Primary Election</b>
<b>June 8, 2004</b>	<b>† Primary Election Runoff</b>

† IF YOU ARE INVOLVED IN A **PRIMARY ELECTION RUNOFF**, TWO ADDITIONAL REPORTS ARE DUE.

June 1, 2004	Pre-election report* due for primary election runoff. This report covers all campaign activity from May 19, 2004 through May 29, 2004.
July 8, 2004	Final report** due for primary election runoff. This report covers all campaign activity from May 30, 2004 through June 8, 2004 or, if candidate lost election, through the date the report is filed.

June 17, 2004	If opposed in primary election, final report** due for primary election.  If preelection report filed, final report for primary election covers all campaign activity from May 9, 2004 through May 18, 2004 or, if candidate lost election, through the date the report is filed.  If no preelection report filed, final report for primary election covers all campaign activity through May 18, 2004 or, if candidate lost election, through the date the report is filed.
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\* A candidate is not required to file a preelection report if he or she has not received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, however, a candidate who has used his or her personal funds to pay the filing fee is required to report same.

\*\* A final report is required regardless of whether a candidate has received contributions or made expenditures in excess of five hundred dollars (\$500).

October 26, 2004      If opposed in general election, preelection report\* due for general election.

If candidate has not previously filed any reports during the 2004 election cycle, this report covers all campaign activity through October 23, 2004.

If candidate filed a final report for the primary election and was not involved in a primary election runoff, preelection report for general election covers all campaign activity from May 19, 2004 through October 23, 2004.

If candidate was involved in a primary election runoff, preelection report for general election covers all campaign activity from June 9, 2004 through October 23, 2004.

**November 2, 2004      General Election**

**November 23, 2004      †† General Election Runoff**

†† IF YOU ARE INVOLVED IN A <b>GENERAL ELECTION RUNOFF</b> , TWO ADDITIONAL REPORTS ARE DUE.	
November 16, 2004	Preelection report* due for general election runoff. This report covers all campaign activity from November 3, 2004 through November 13, 2004.
December 23, 2004	Final report** due for general election runoff. This report covers all campaign activity from November 14, 2004 through the date the report is filed.

December 2, 2004      Final report\*\* due for general election.

If candidate has not previously filed any reports during the 2004 election cycle, the final report for the general election covers all campaign activity through the date the report is filed.

If candidate filed a preelection report for the general election and was not involved in a general election runoff, the final report for the general election covers all campaign activity from October 24, 2004 through the date the report is filed.

If candidate filed a preelection report for the general election and was involved in a general election runoff, the final report for the general election covers all campaign activity from October 24, 2004 through November 2, 2004.

If candidate was not involved in a primary election runoff and did not file a preelection report for the general election, the final report for the general election covers May 19, 2004 through the date the report is filed.

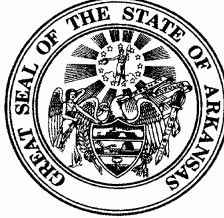
If candidate was involved in a primary election runoff and did not file a preelection report for the general election, the final report for the general election covers June 9, 2004 through the date the report is filed.

\* A candidate is not required to file a preelection report if he or she has not received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, however, a candidate who has used his or her personal funds to pay the filing fee is required to report same.

\*\* A final report is required regardless of whether a candidate has received contributions or made expenditures in excess of five hundred dollars (\$500).

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## 2004 REPORTING CALENDAR

### CANDIDATES FOR THE NONPARTISAN JUDICIAL OFFICES OF JUSTICE OF THE SUPREME COURT, JUDGE OF THE COURT OF APPEALS, AND CIRCUIT JUDGE

A candidate's committee is not required to file any quarterly, monthly or preelection reports until the committee has either received contributions or made expenditures in excess of five hundred dollars (\$500). Final reports are required regardless of whether a candidate's committee has received contributions or made expenditures in excess of five hundred dollars (\$500).

January 15, 2004	Quarterly report for 4 <sup>th</sup> quarter of 2003 due. Covers period November 20 through December 31. (NOTE: Pursuant to Section 5C(2) of the Arkansas Code of Judicial Conduct, the earliest date a candidate's campaign committee may solicit contributions is November 20, 2003.)
February 2, 2004	Statement of Financial Interest for calendar year 2003 due from all incumbent officeholders.
February 16, 2004	January monthly report due. Covers period January 1-31.*
February 13, 2004	Deadline to file petition for alternative ballot access pursuant to Ark. Code Ann. § 7-10-103(c).
March 15, 2004	February monthly report due. Covers period February 1-29.*
March 15, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the alternative ballot access provisions of Ark. Code Ann. § 7-10-103(c).
March 19, 2004	Deadline to file as a write-in candidate pursuant to Ark. Code Ann. § 7-10-103(d).
March 30, 2004	Deadline to file as a candidate pursuant to the filing fee provisions of Ark. Code Ann. § 7-10-103(b).
April 15, 2004	March monthly report due. Covers period March 1-31.*
April 19, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the write-in candidate provisions of Ark. Code Ann. § 7-10-103(d).
April 29, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the filing fee provisions of Ark. Code Ann. § 7-10-103(b).

\* If this is campaign committee's first report, it covers all campaign activity which has occurred through the closing date of the reporting period.

May 11, 2004 If opposed in general election, preelection report due for general election. Covers period April 1 - May 8.\*

May 17, 2004 If unopposed in general election, April monthly report due. Covers period April 1-30.\*

**May 18, 2004 General Election**

June 30, 2004 Final report due for general election.

If the campaign committee of an opposed candidate filed a preelection report for the general election and the candidate is not involved in a general election runoff, final report for general election covers period May 9 through the date the report is filed.

If the campaign committee of an opposed candidate filed a preelection report for the general election and the candidate is involved in a general election runoff, final report for the general election covers period May 9-18.

If the campaign committee of an opposed candidate did not file a preelection report for the general election and the candidate is not involved in a general election runoff, final report for general election covers all campaign activity through the date the report is filed.

If the campaign committee of an opposed candidate did not file a preelection report for the general election and the candidate is involved in a general election runoff, final report for general election covers all campaign activity through May 18.

If the campaign committee of an unopposed candidate filed an April monthly report, final report for general election covers period May 1 through the date the report is filed.

If the campaign committee of an unopposed candidate did not file an April monthly report (i.e., this is campaign committee's first report), final report for general election covers all campaign activity through the date the report is filed.

**FOR CANDIDATES INVOLVED IN A GENERAL ELECTION  
RUNOFF, THE FOLLOWING REPORTS ARE ALSO DUE**

July 15, 2004 June monthly report due. Covers period May 19 through June 30.

August 16, 2004 July monthly report due. Covers period July 1-31.

September 15, 2004 August monthly report due. Covers period August 1-31.

October 15, 2004 September monthly report due. Covers period September 1-30.

October 26, 2004 Preelection report due for general election runoff. Covers period October 1-23.

\* If this is campaign committee's first report, it covers all campaign activity which has occurred through the closing date of the reporting period.

**November 2, 2004      General Election Runoff**

December 30, 2004      Final report due for general election runoff. Report covers period October 24 through the date the report is filed.

**Please note:**

- 1. Reports must be filed with the Secretary of State. Postmark date is not used as date of filing when report is a preelection report.**
- 2. Reports may be faxed to the Secretary of State provided that the notary seal is legible (i.e., either stamped or raised and inked) and the original is received by the Secretary of State within ten (10) days of the date of transmission.**
- 3. In calculating the amount of contributions received or expenditures made for purposes of determining whether a candidate's committee has received contributions or made expenditures in excess of five hundred dollars (\$500), the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, the committee of a candidate who has used his or her personal funds to pay the filing fee is required to report same. Such a candidate's committee would report the funds used to pay the filing fee as either a loan or a contribution to the campaign from the candidate and also as a campaign expenditure.**



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## 2004 REPORTING CALENDAR CANDIDATES FOR THE NONPARTISAN JUDICIAL OFFICE OF DISTRICT JUDGE

February 2, 2004	Statement of Financial Interest for calendar year 2003 due from all incumbent officeholders.
February 13, 2004	Deadline to file petition for alternative ballot access pursuant to Ark. Code Ann. § 7-10-103(c).
March 15, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the alternative ballot access provisions of Ark. Code Ann. § 7-10-103(c).
March 19, 2004	Deadline to file as a write-in candidate pursuant to Ark. Code Ann. § 7-10-103(d).
March 30, 2004	Deadline to file as a candidate pursuant to the filing fee provisions of Ark. Code Ann. § 7-10-103(b).
April 19, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the write-in candidate provisions of Ark. Code Ann. § 7-10-103(d).
April 29, 2004	Statement of Financial Interest for calendar year 2003 due from non-incumbent candidates whose names have been placed on the ballot pursuant to the filing fee provisions of Ark. Code Ann. § 7-10-103(b).
May 11, 2004	If opposed in general election, preelection report* due for general election. This report covers all campaign activity through May 8, 2004. (NOTE: Pursuant to Section 5C(2) of the Arkansas Code of Judicial Conduct, the earliest a candidate's campaign committee may solicit contributions is November 20, 2003.)

### **May 18, 2004      General Election**

\* A candidate's campaign committee is not required to file a preelection report if it has not received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, however, a candidate who has used his or her personal funds to pay the filing fee is required to report same.

\*\* A final report is required regardless of whether a candidate's campaign committee has received contributions or made expenditures in excess of five hundred dollars (\$500).

June 17, 2004

Final report\*\* due for general election.

If the campaign committee of an opposed candidate filed a preelection report for the general election and the candidate is not involved in a general election runoff, final report for general election covers period May 9 through the date the report is filed.

If the campaign committee of an opposed candidate filed a preelection report for the general election and the candidate is involved in a general election runoff, final report for the general election covers period May 9-18.

If the campaign committee of an opposed candidate did not file a preelection report for the general election and the candidate is not involved in a general election runoff, final report for general election covers all campaign activity through the date the report is filed.

If the campaign committee of an opposed candidate did not file a preelection report for the general election and the candidate is involved in a general election runoff, final report for general election covers all campaign activity through May 18.

**FOR CANDIDATES INVOLVED IN A GENERAL ELECTION  
RUNOFF, THE FOLLOWING REPORTS ARE ALSO DUE**

October 26, 2004

Preelection report\* due for general election runoff. Covers period May 19 through October 23.

**November 2, 2004**

**General Election Runoff**

December 2, 2004

Final report\*\* due for general election runoff. Report covers period October 24 through the date the report is filed.

\* A candidate's campaign committee is not required to file a preelection report if it has not received contributions or made expenditures in excess of five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, however, a candidate who has used his or her personal funds to pay the filing fee is required to report same.

\*\* A final report is required regardless of whether a candidate's campaign committee has received contributions or made expenditures in excess of five hundred dollars (\$500).

## **OTHER FACTS ABOUT CONTRIBUTIONS & CERTAIN EXPENDITURES**

Pursuant to Senate Resolution 1 and House Resolution 1001, members of the 84<sup>th</sup> General Assembly are prohibited from accepting any contribution during the period beginning thirty (30) days before and ending thirty (30) days after any regular session of the General Assembly or during any extended or special session of the General Assembly.

**“Contribution”** means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate.

**“Contribution” includes:**

- The purchase of tickets for events such as dinners, luncheons, rallies, similar fund raising events
- The granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office
- Payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report
- Any transfer of anything of value received by a committee from another committee
- “In-kind contributions” of goods, services, or any other thing of value, or its use, other than money and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make such a contribution in the future. “In-kind contribution” **shall not include** direct campaign contributions.

**“Contribution” shall not include:**

- Noncompensated, nonreimbursed, volunteer personal services or travel.

**“Expenditure”** means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate.

**“Contribution and expenditure” shall not include:**

- Activity sponsored and funded by organized political parties to promote their candidates or nominees through events or gatherings
- Nonpartisan activity designed to encourage individuals to register to vote, or to vote
- Any communication by any membership organization to its members or stockholders, if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any candidate.

**Other facts include:**

- It shall be unlawful for any candidate or any person acting in the candidate's behalf, to accept campaign contributions or cumulative contributions in excess of one thousand dollars (\$1,000) per person per election.
- A candidate, whether opposed or unopposed, may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election in which he or she is a candidate.

**NOTE:** The limitation shall not apply to a candidate's own contribution from personal funds, to personal loans made by financial institutions to the candidate and applied to the campaign, or to independent expenditures, as defined in ACA §7-6-201(10).

- A state political party may contribute up to two thousand five hundred dollars (\$2,500) to each of the party's candidates per election.
- A small donor political action committee may contribute up to \$1,000 to a candidate's campaign per election.
- It shall be unlawful for any candidate for any public office or any person acting in the candidate's behalf to accept any contribution from a prohibited political action committee for any election.
- It shall be unlawful for any candidate for public office, any person acting in the candidate's behalf, or any exploratory committee to solicit or accept campaign contributions more than two (2) years before an election at which the candidate seeks nomination or election.

**NOTE:** This shall not prohibit the solicitation or acceptance of a contribution for the sole purpose of raising funds to retire a previous campaign debt.

- No candidate, nor any person on behalf of a candidate, may accept contributions or funds after the candidate has withdrawn his or her nomination or after the candidate has been eliminated as a candidate.

**NOTE:** This shall not prohibit the solicitation or acceptance of a contribution for the sole purpose of raising funds to retire a previous campaign debt.

- A candidate shall not take any campaign funds as personal income or as income for a spouse or dependent children.

**NOTE:** An opposed candidate may employ a spouse or dependent children as campaign workers. Also, an opposed candidate, who during and before the election, takes a leave of absence without pay from his or her primary place of employment, shall be authorized to take campaign funds before the election as personal income up to the amount of employment income lost as a result of such leave of absence. The candidate may elect to treat the campaign funds as a loan from the campaign fund to the candidate to be paid back to the campaign fund by the candidate.

- A present or former candidate who uses campaign funds to fulfill any commitment, obligation or expense that would exist regardless of the candidate's campaign or responsibilities as an office holder shall be deemed to have taken campaign funds as personal income. The use of campaign funds to purchase a cake or other perishable item of food at a fundraising event held by a volunteer agency, as defined in § 16-6-103, shall not be considered a taking of campaign funds as personal income.
- Cash campaign contributions may not exceed one hundred dollars (\$100).
- Cash campaign expenditures may not exceed fifty dollars (\$50).  
**NOTE:** Payment of filing fees may be in cash even though the amount exceeds fifty dollars (\$50). The candidate shall obtain a receipt for the payment and shall report it as a campaign expenditure.
- All contributions in excess of one hundred dollars (\$100) or expenditures in excess of fifty dollars (\$50) made in behalf of a campaign activity, other than in-kind contributions and expenditures and payment of filing fees, shall be made by a written instrument containing the name of the donor and the name of the payee.
- Contributions to a candidate, a political action committee, an independent expenditure committee, an exploratory committee, or a political party must be made directly to the intended recipient. Contributions to a candidate's campaign committee instead of directly to the candidate are permissible.
- No contribution shall be made to or knowingly accepted by a candidate, a candidate's campaign committee, a political action committee, an independent expenditure committee, an exploratory committee, or a political party unless made in the name by which the contributor is identified for legal purposes.
- No person shall make an anonymous contribution in support of or opposition to a candidate or campaign committee totaling fifty dollars (\$50) or more in a calendar year.  
**NOTE:** Anonymous contributions of fifty dollars (\$50) or more shall be promptly turned over to the Secretary of State for deposit in the State Treasury as general revenues.
- No contribution shall be made by individuals who are not citizens of the United States of America or by any other entity which is not organized, existing or created under the laws of the United States or of any state or other place subject to the jurisdiction of the United States and which does not have its principal place of business in the United States.
- Records of all contributions and expenditures shall be kept by a candidate, a political party, or person acting in the candidates behalf in a manner sufficient to evidence compliance with campaign finance disclosure laws and maintained for a period of no less than four (4) years.

- Records of carryover funds shall be maintained for a period of no less than ten (10) years or until the funds are completely expended or disposed of, whichever comes first.

**NOTE:** A candidate, whether opposed or unopposed, may receive contributions up to the maximum amount for each preferential primary, general primary (run-off), special, and general election in which he or she is a candidate.

# STATEMENT OF FINANCIAL INTEREST

A candidate filing a “Statement of Financial Interest” is required to disclose personal income information about themselves and their spouses. The candidate must disclose employment and business interests, including investments, holdings, directorships, or offices held. The report also requires candidates to list their creditors, guarantors or co-makers guaranteeing debt, gifts and teacher awards received, and non-governmental sources of payment for expenses.

Creditors do not include financial institutions or individuals who regularly lend money in the ordinary course of business nor does creditors include members of the candidate’s family.

“Statement of Financial Interest” forms are available in the “Forms” section of this handbook.

## **Who Must File**

### **Candidates for:**

- State offices
- District offices
- County offices
- Township offices
- Municipal offices
- School Board

**NOTE:** Any candidate for elective office, other than candidates for levee and drainage districts, must file a “Statement of Financial Interest”.

## **When to File**

- Candidates for elective office are required to file a “Statement of Financial Interest” for the previous calendar year within thirty (30) days after the deadline for filing for office for which seeking election unless already filed by January 31.

**NOTE:** Any incumbent officeholder who filed the “Statement of Financial Interest” by January 31 of the year in which the election is held shall not be required to file an additional statement upon becoming a candidate for reelection or election to another office at any election held during the year.

## **Where to File**

- State and district candidates file with the Secretary of State
- County, township, and school board candidates file with the county clerk
- Municipal candidates file with the city clerk or recorder
- District judge and city attorney candidates file with the city clerk of the municipality within which they serve.

## **How to File**

The report shall be considered timely filed if:

- Hand-delivered to the appropriate public official on or before the date due
- Mailed to the appropriate public official, postage prepaid, and postmarked on or before the due date
- Received via facsimile by the appropriate public official on or before the due date, provided the original is received by the public official within ten (10) days of the transmission, or
- Received by the appropriate public official in a readable electronic format acceptable to the appropriate public official and approved by the Arkansas Ethics Commission.



# EXPLORATORY COMMITTEE

An “Exploratory committee” is a person who receives contributions to be held for transfer to the campaign of a single candidate in an election. An “Exploratory committee” is one designated by a candidate to promote the candidate’s campaign and to serve as recipient of all contributions and distributor of all expenditures for a candidate prior to the candidate’s formal announcement of running for office. An “Exploratory committee” **shall not include** an organized political party or the candidate’s own campaign committee.

## **Registration**

- Forms available from the Secretary of State and in the “Forms” section of this handbook
- Filed with the Secretary of State
- Filed within fifteen (15) days after receiving contributions exceeding five hundred dollars (\$500), in the aggregate, during a calendar year
- Shall be verified by an affidavit of an officer of the committee

## **Contribution and Expenditure Report**

- Available from the Secretary of State and in the “Forms” section of this handbook
- Filed with the Secretary of State
- Filed beginning with the month in which the committee files its registration
- Filed monthly within thirty (30) days of the end of each month
- Indicates the name and address of each person who has made a contribution or contributions which, in the aggregate, exceed fifty dollars (\$50), along with the contributor’s principal place of business, employer, occupation, and the amount contributed.
- Indicates the total amount of expenditures made and, for each single expenditure which exceeds one hundred dollars (\$100), an itemization including the amount of the expenditure, the name and address of the person to whom the expenditure was made, and the date the expenditure was made.

- A final report shall be filed within thirty (30) days after the end of the month in which the committee either transfers its contributions to a candidate's campaign or no longer accepts contributions on behalf of the candidate.

# **POST ELECTION PROCEDURES & RETIREMENT OF DEBT**

After the last election in which a candidate's name has appeared on the ballot, a candidate must file a final "Campaign Contribution and Expenditure Report" disclosing the campaign's financial status, i.e., declaring a surplus or debt.

## **Remaining Debt**

- Any person who was a candidate and has campaign debt from an election that has ended may solicit funds and hold fund-raisers to retire the campaign debt.
- The prohibition against a candidate soliciting or accepting campaign contributions more than two (2) years before an election at which the candidate seeks nomination or election does not prohibit the solicitation or acceptance of a contribution for the sole purpose of raising funds to retire a previous campaign debt.  
**NOTE:** A judicial candidate's committee is permitted to raise funds to retire debt no later than forty-five (45) days after the last contested election in which the candidate participates during the election year.
- The contributions received for purposes of debt retirement shall be treated as campaign contributions to the person's previous campaign, and all campaign contribution limits shall continue to apply.
- Contributors shall be given notice that the campaign contributions are for the purpose of retiring a campaign debt.
- Any invitation to or notice of a fund-raiser to retire a campaign debt of a previous campaign shall state that the funds are to retire a campaign debt.

## **Remaining Surplus**

"Surplus campaign funds" are any balance of campaign funds over expenses incurred as of the day of the election except for carryover funds and any funds required to reimburse the candidate for personal funds contributed to the campaign or to repay loans made by financial institutions to the candidate and applied to the campaign.

A candidate shall, within thirty (30) days following the end of the month in which the general election is held, dispose of surplus campaign funds by one or more of the following options:

- Turn over all or part of the surplus to the Treasurer of State for the benefit of the General Revenue Fund Account of the State Apportionment Fund

- Turn over all or part of the surplus to an organized political party as defined in § 7-1-101(17) or a political party caucus of the Arkansas General Assembly, the Senate, or House of Representatives
- Donate all or part of the surplus to one or more nonprofit organizations which are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code
- Return all or part of the surplus to the contributors to the candidate's campaign

**NOTE:** Nonpartisan judicial candidates must dispose of any surplus campaign funds by either returning them to contributors or turning them over to the Treasurer of State.

## **Carryover Funds**

“Carryover funds” are the amount of campaign funds retained from the last election by the candidate for future use, but such funds may not exceed the annual salary, excluding expense allowances, set by Arkansas law for the office sought. Forms for reporting “carryover funds” are available in the “Forms” section of this handbook.

- Carryover funds may be expended at any time for allowable expenditures and used as campaign funds for seeking public office
  - All or any portion may be disposed of in the same manner as for surplus campaign funds
- NOTE:** The candidate shall not take the funds as personal income or as income for a spouse or dependent children.
- Carryover funds may be retained by a person for not more than ten (10) years after the last election in which he or she was a candidate

**NOTE:** When a person files as a candidate for public office, carryover funds must be transferred to the person's active campaign fund and will no longer be treated as carryover funds. This requirement does not apply to carryover funds from an election held prior to July 1, 1997, nor to a campaign debt.

# PENALTIES

The Arkansas Ethics Commission has jurisdiction over Arkansas' campaign finance disclosure laws. If the Arkansas Ethics Commission finds a person in violation of any provision of these laws, the Commission may impose the following sanctions:

## Late Filing

### **Pre-election Contribution and Expenditure Reports:**

- Issue a public letter of caution, warning, or reprimand
- Impose a fine of not less than \$25 nor more than \$1,000 for the late filing of reports. Although fines are assessed on a case-by-case basis, the following schedule serves as a guideline in determining the amount of the fine:

Date Report Filed	First Time Delinquency	Repeated Delinquency By Same Candidate
1 to 3 days late	\$ 50.00 per report	\$100.00 per report
4 to 10 days late	\$100.00 per report	\$150.00 per report
11 to 30 days late	\$150.00 per report	\$250.00 per report

### **All Other Contribution and Expenditure Reports:**

- Issue a public letter of caution, warning, or reprimand
- Impose a fine of not less than \$25 nor more than \$1,000 for the late filing of reports. Although fines are assessed on a case-by-case basis, the following schedule serves as a guideline in determining the amount of the fine:

Date Report Filed	First Time Delinquency	Repeated Delinquency By Same Candidate
1 to 10 days late	\$ 25.00 per report	\$ 50.00 per report
11 to 20 days late	\$ 50.00 per report	\$100.00 per report
21 to 30 days late	\$100.00 per report	\$200.00 per report

### **Statement of Financial Interest:**

- Issue a public letter of caution, warning, or reprimand
- Impose a fine of not less than \$25 nor more than \$1,000 for the late filing of statements. Although fines are assessed on a case-by-case basis, the following schedule serves as a guideline in determining the amount of the fine:

Date Statement Filed	Amount of Fine
1 to 15 days late	\$ 50.00
16 to 30 days late	\$100.00

## **Failure to File**

### **Contribution and Expenditure Reports:**

- Issue a public letter of caution, warning, or reprimand
- Impose a fine of not less than \$25 nor more than \$1,000 for the late filing of reports
- Any candidate who fails to file a contribution and expenditure report will be ordered to file the report within ten (10) days.

### **Statement of Financial Interest:**

- Issue a public letter of caution, warning, or reprimand
- Impose a fine of not less than \$25 nor more than \$1,000 for the late filing of statements
- Any candidate who fails to file a “Statement of Financial Interest” will be ordered to file the report within ten (10) days.

## **False, Misleading, or Incomplete Filings**

### **Contribution and Expenditure Reports:**

- Any candidate who reports false or materially misleading information or omits information from a contribution and expenditure report may be assessed a fine of not less than twenty five dollars (\$25) nor more than one thousand dollars (\$1,000) for each violation and may be issued a public letter of caution, warning, or reprimand by the Arkansas Ethics Commission.

### **Statement of Financial Interest:**

- Any candidate who reports false or materially misleading information or omits information from a “Statement of Financial Interest” may be assessed a fine of not less than twenty five dollars (\$25) nor more than one thousand dollars (\$1,000) for each violation and may be issued a public letter of caution, warning, or reprimand by the Arkansas Ethics Commission.

The Arkansas Ethics Commission may refer to the proper law enforcement authorities for criminal prosecution any person who has knowingly or willfully failed to comply with any provision of Arkansas’ campaign finance disclosure laws. The offense shall be prosecuted as a Class A misdemeanor. Upon conviction, possible penalties include a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one (1) year, or both.

## **FREQUENTLY ASKED QUESTIONS ABOUT CAMPAIGN ETHICS**

**Q. When are candidates required to begin filing contribution and expenditure reports?**

A. With the exception of final reports, a candidate is not required to begin filing reports until the candidate receives or expends more than five hundred dollars (\$500). In calculating the amount of contributions received or expenditures made for purposes of this exception, the payment of the filing fee from the candidate's personal funds shall not be considered as either a contribution or an expenditure. Once the five hundred dollar (\$500) threshold has been met, a candidate who has used his or her personal funds to pay the filing fee is required to report same. Such a candidate would report the funds used to pay the filing fee as either a loan or a contribution to the campaign from the candidate and also as a campaign expenditure.

**Q. Must a candidate report personal contributions to the campaign?**

A. Yes. Personal funds a candidate contributes to his or her campaign must be reported as contributions. Itemization is required if the contribution or aggregate contributions exceed fifty dollars (\$50).

**Q. When may a candidate or exploratory committee begin soliciting funds for a future campaign?**

A. Under Arkansas law, it is unlawful for a candidate or an exploratory committee to solicit or accept campaign contributions more than two (2) years before the election at which the candidate seeks nomination or election. Judicial candidates may begin to solicit funds no earlier than 180 days before an election. Officeholders serving a two (2) year term may solicit contributions at any time.

**Q. Is there any limit to the size of cash contributions or expenditures with respect to a campaign?**

A. Yes. Candidates are prohibited from accepting a cash contribution in excess of one hundred dollars (\$100) or making a cash expenditure in excess of fifty dollars (\$50). The only exception to this rule is the filing fee paid by the candidate. If the filing fee is paid in cash, a receipt must be obtained and the expenditure must be reported as a campaign expenditure.

**Q. May a contributor give \$1,000 to an exploratory committee? If so, how does this affect the amount the contributor may give to the candidate for the subsequent election?**

A. Yes. A contributor may give up to \$1,000 to an exploratory committee. However, the amount(s) a person contributes to an exploratory committee count towards the limit on campaign contributions which such a person may make to the candidate. Under current law, a person may contribute up to \$1,000 to a candidate for each election, whether opposed or unopposed.



## FORMS

- **Political Practice Pledge**
  - Ballot Name Certification Guidelines
- **Notice of Candidacy**
- **Petitions**
  - Presidential Group Candidates
    - Individual Petition Form
    - Group Petition Form
  - Independent Candidate (or Nonpartisan Judicial Candidate)
    - Federal/State/District Office
    - County/Township Office
  - Municipal Candidates Except Aldermen
    - First Class Cities
    - Second Class Cities
    - Incorporated Towns
  - Aldermen Candidates Elected by Ward
    - First Class Cities
    - Second Class Cities
  - Aldermen Candidates Elected at Large
    - First Class Cities
    - Second Class Cities
    - Incorporated Towns
  - Municipal City Manager
  - School Board Candidate
- **Campaign Contribution and Expenditure Report**
  - State and District Candidates
    - Monthly, Preelection, Quarterly
    - Final
  - County, Municipal, and School Board Candidates
- **Statement of Financial Interest**
- **Exploratory Committee**
  - Registration
  - Contribution and Expenditure Report
- **Carryover Fund Reporting Form**
- **Independent Expenditure Committee**
  - Registration
  - Contribution and Expenditure Report

**NOTE:** Before using copies of the forms in this handbook, please verify the revision date at the bottom of the form with the Secretary of State Election Division or Arkansas Ethics Commission.

## **POLITICAL PRACTICE PLEDGE**

All candidates for state or district offices and county, municipal, and township offices are required to file a “Political Practice Pledge” stating that he or she is familiar with the requirements of Arkansas Code Annotated Sections 7-1-103, 7-1-104, 7-3-108, and 7-6-101 through 7-6-104, and will in good faith, comply with their terms. All “Political Practice Pledge” forms shall be required to contain the pledge, “I hereby certify that I have never been convicted of a felony in the State of Arkansas or in any other jurisdiction outside of Arkansas.” A candidate may certify that he or she has never been convicted of a felony if his or her record was expunged in accordance with §§ 16-93-301 - 16-93-303, or a similar expunction statute in another state, provided, the candidate presents a certificate of expunction from the court that convicted the prospective candidate. Any candidate who fails to sign and file the “Political Practice Pledge” shall not appear on the ballot.

### **The “Political Practice Pledge” shall also indicate:**

- The name, party affiliation if any, office, district and position in which the candidate seeks nomination
- Certification of payment of all filing fees and filing of a party certificate, if a party candidate
- Certification of filing of a notice of candidacy and petition for nomination, if an independent candidate
- Certification or notification of intention to be a write-in candidate
- The form in which the candidate’s name will appear on the ballot, along with the candidate’s mailing address

**Charlie Daniels, Secretary of State**

Elections Division, Rm 026  
State Capitol  
Little Rock, Arkansas 72201-1094

# Political Practice Pledge

I, \_\_\_\_\_ a(n) Democrat, Republican, Independent, Write-in, Non-Partisan  
(Name to be printed on ballot) (Circle One)

Judicial, Other \_\_\_\_\_ candidate for the Office of \_\_\_\_\_  
(Explain) (Name of office)

District Number \_\_\_\_\_, Position Number \_\_\_\_\_, do hereby state that I am familiar with the requirements of A.C.A. §§7-1-103, 7-1-104 as amended by Act 1458 of 2003, 7-3-108, 7-6-101, 7-6-102 as amended by Act 542 of 2003, 7-6-103, and 7-6-104 and that I will in good faith comply with the provisions of same.

**Check one of the following**

- \_\_\_ **PARTY CANDIDATE:** I further certify that I have paid all filing fees, or have otherwise qualified by an alternate method as provided by my party, and have filed a party certificate required by ACA §7-7-301.
- \_\_\_ **NON-PARTISAN JUDICIAL CANDIDATE:** I further certify that I have paid all filing fees, or have otherwise qualified by an alternate method as provided by A.C.A. §7-10-103.
- \_\_\_ **INDEPENDENT CANDIDATE:** I further certify that I have filed my Notice of Candidacy and petition signed by the required number of registered voters.
- \_\_\_ **WRITE-IN CANDIDATE:** I further certify that I have notified in writing the County Board of Election commissioners and either the Secretary of State or County Clerk of my intention to be a WRITE-IN CANDIDATE. (Non-partisan judicial write-in candidates for all positions except district judge shall file with the Secretary of State. District judge candidates shall file the notice of intent with the county clerk.)

***ALL CANDIDATES MUST COMPLETE THE FOLLOWING SECTION:***

I hereby certify that I have never been convicted of a felony in the State of Arkansas, or in any other jurisdiction outside of Arkansas.

Date Signed: \_\_\_\_\_

\_\_\_\_\_  
**\*\*Sign your name \*\***

\_\_\_\_\_  
**\*\*Print your name as it is to appear on ballot\*\***

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State & Zip code

**7-7-305. Printing of ballots - Form.**

(c)(1)(A) Any person who shall file for any elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used for the purpose of identifying such person to the voters, and may add as a prefix to his name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may only use the prefix, "Judge", "Justice", or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

(C) A nickname shall not include a professional or honorary title.

(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate, shall be reviewed no later than one (1) business day after the filing deadline by the State Board of Election Commissioners for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.

(3) The name of every candidate shall be printed on the ballot in the form as certified by either the state board or the county board.

(4) No candidate shall be permitted to change the form in which his name will be printed on the ballot after the deadline for filing the political practices pledge.

## **BALLOT NAME CERTIFICATION GUIDELINES**

The following guidelines have been developed by the office of the State Board of Election Commissioners in conjunction with the Secretary of State's office to assist candidates in completing the political practice pledge form and for the purpose of certifying the names and titles proposed to be used by candidates filing for office.

Any federal, state, or district candidate with questions may contact Susie Stormes, Director of the State Board of Election Commissioners, at 501-682-1013 or 800-411-6996. Any county, township, school, and municipal candidate with questions should contact their local county board of election commissioners.

### **Arkansas Code Annotated § 7-7-305. Printing of ballots - Form.**

(c)(1)(A) "Any person who shall file for any elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used for the purpose of identifying the person to the voters, and may add as a prefix to his or her name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may only use the prefix "Judge", "Justice", or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

(C) A nickname shall not include a professional or honorary title.

(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate shall be reviewed no later than one (1) business day after the filing deadline by the State Board of Election Commissioners for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.

(3) The name of every candidate shall be printed on the ballot in the form as certified by either the state board or the county board.

(4) No candidate shall be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge."

### **Definition of "name" as referenced in Black's Law Dictionary:**

Name. "The designation of an individual person, or of a firm or corporation. A person's 'name' consists of one or more Christian or given names and one surname or family name. It is the distinctive characterization in words by which one is known and distinguished from others, and description, or abbreviation, is not the equivalent of a 'name'."

**For the purpose of certifying the names and titles proposed to be used by each candidate, a candidate is permitted to use:**

- **A maximum of three (3) "given" names**
  - 1) One name may be a nickname, but not a professional or honorary title
  - 2) A "middle" name shall be considered a "given" name

- **Initials**  
Initials are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **Surname or Last name**  
Surnames or last names are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **A Suffix**  
Suffixes (Jr., Sr., I, II, III) are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **A Prefix**  
**Nonjudicial**  
The title or an abbreviation of the title of an elective public office **currently held**
  - 1) State Senator, State Sen., Senator, Sen., State Representative, State Rep., Representative, Rep., Prosecuting Attorney
  - 2) **If running for U.S. Senate or U.S. Congress**, the title of the elective public office currently held must be specific, i.e., United States Senator, United States Sen., U.S. Senator, U.S. Sen., United States Representative, United States Rep., U.S. Representative, U.S. Rep., State Senator, State Sen., State Representative, State Rep., Congressman

**Judicial**

The title or an abbreviation of the title of the judicial position **currently held to which elected**

- 1) Judge, Justice, Chief Justice

**For the purpose of certifying the names and titles proposed to be used by each candidate, a candidate is not permitted to use:**

- **Professional or honorary titles**  
Professional or honorary titles (Ph.D., CPA, MD., Doctor, Dr., Reverend, Rev., Chief of Police, General, Lieutenant, Sergeant) are **not** acceptable

The office of the State Board of Election Commissioners will review the names and titles proposed to be used by each federal, state, or district candidate. The Director of the State Board of Election Commissioners will administratively certify all proposed names and titles that comply with the statutory requirements of Arkansas Code Annotated § 7-7-305.

For those candidates whose proposed name and title do **not** comply with Arkansas Code Annotated § 7-7-305, the candidate will be contacted by the office of the State Board of Election Commissioners and offered the option to appear in person to file a revised political practice pledge form with the Secretary of State's office.

If the candidate does not wish to appear in person for the purpose of filing a revised political practice pledge form, a new form can be mailed to the candidate. **The Secretary of State's office will accept no faxes. The Secretary of State's office will accept no responsibility for political practice pledge forms sent by mail if not received and filed by the filing deadline.**

The State Board of Election Commissioners will meet no later than one (1) business day after the filing deadline to review those candidates whose proposed name and title do **not** comply with the statutory requirements of Arkansas Code Annotated § 7-7-305. The State Board of Election Commissioners will, at that time, determine the form in which the candidate's name will be printed on the ballot.

No candidate will be permitted to change the form in which his name will be printed on the ballot after the deadline for filing the political practice pledge.

## **NOTICE OF CANDIDACY**

All independent candidates (except municipal) must give notice of intention to file as an independent candidate without party affiliation. A “Notice of Candidacy” stating the name and title the candidate proposes to appear on the ballot and identifying the elective office sought must be filed no later than the deadline for filing political practice pledges by party candidates in the primary election [by 12:00 noon fourteen (14) days after the third Tuesday in March, before the preferential primary election]. Independent candidates for state or district office must file the notice with the Secretary of State. Independent candidates for county and township offices must file the notice with the county clerk of the county.

**The “Notice of Candidacy” shall also indicate:**

- The name and title the candidate proposes to appear on the ballot
- The office, district, and election in which the candidate seeks nomination
- The name, address, and signature of the candidate

# NOTICE OF CANDIDACY

## FOR INDEPENDENT CANDIDATES

[Pursuant to ACA 7-7-103(a), as amended by Acts 1165 and 1731 of 2003]

I, \_\_\_\_\_ do hereby give notice of my  
(Print your name, and if applicable, your title as you wish for it to appear on the ballot)

intention to file as an independent candidate without party affiliation for the office of

\_\_\_\_\_, District # \_\_\_\_\_

in the election to be held on \_\_\_\_\_.

I understand that my nominating petition with the requisite number of signatures is due to be filed by May 1. Such petition shall contain signatures equal to not less than 3% of the qualified electors in the state, county, township or district in which I am seeking office (based on the total number of votes cast in that state, county, township or district for all candidates in the preceding general election for Governor), but in no event more than 2,000 signatures for a county, township, or district office; or 10,000 signatures for a state office.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date Filed

\_\_\_\_\_  
Printed Name of Candidate

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

**NOTE:** Independent candidates for state or district office must file this Notice of Candidacy with the Office of the Secretary of State (county and township offices shall file with the County Clerk) no later than the filing deadline for political practice pledges by party candidates in the primary election [by 12:00 noon fourteen (14) days after the third Tuesday in March before the preferential primary election].



# PETITIONS

**The petition for nomination shall indicate:**

- The name and address of the candidate to be placed on the ballot for election
- The office for which the candidate seeks nomination
- The election in which the candidate seeks nomination.
- The city/town/ward, as the case may be, of the qualified electors petitioning for municipal candidates
- The name, address, and date of birth of the qualified electors signing the petition, and the date signed
- Certification by signature that the signer is a qualified elector and that the information provided is correct

## **PRESIDENTIAL GROUP CANDIDATES**

Pursuant to Arkansas Code Annotated § 7-8-302(5), a political group desiring to have the names of its candidates for President and Vice President printed on the ballot shall file a petition with the Secretary of State by noon on the first Monday of August (August 2, 2004).

The petition shall contain at the time of filing one thousand (1,000) qualified electors of the state declaring their desire to have printed on the ballot the names of their candidate for President and Vice President.

The Secretary of State shall verify the sufficiency of the petition within ten days from the filing of the petition.

If the petition is determined to be insufficient, the Secretary of State shall notify in writing the political group through its designated agent, and shall set forth his reasons for so finding.

When notice is delivered, the sponsors shall have an additional ten (10) days in which to do any or all of the following:

- Solicit and obtain additional signatures.
- Submit proof to show that the rejected signatures or some of them are good and should be counted.
- Make the petition more definite and certain.

Any amendments and corrections shall not materially change the purpose and effect of the petition. No changes shall be made in the petition, except to correct apparent typographical errors or omissions.

Any challenges to the certification of the Secretary of State shall be filed in the Circuit Court of Pulaski County.

A political group which has qualified for the ballot shall, by September 15, submit a certificate of choice stating the name of its candidate for President and Vice President, signed under oath by either the chairperson, vice-chairperson, or secretary of the political group's convention.

**IMPORTANT NOTICE:** As of June, 2004, the candidate petitions on pages 55 through 68 have been removed due to recent revisions made by the Secretary of State. Please contact the Secretary of State's Election Department at 501-682-5070 for a copy of the most recent petition forms for presidential group candidates; independent candidates for county, township and municipal offices; nonpartisan judicial candidates; and school board candidates.

**CAMPAIGN CONTRIBUTION  
AND  
EXPENDITURE REPORT  
(State and District Candidates)**

**The “Campaign Contribution and Expenditure Report” for State and District Candidates shall indicate:**

- General candidate information with the title of the office sought and, if applicable, information regarding the candidate’s campaign committee
- The type of election and year in which the election will be held
- The type of report being completed and the dates covered by the report
- A summary of campaign finance activity for the reporting period and cumulative for the election
- An itemized list of each personal loan made to a candidate by a financial institution and applied toward the candidate’s campaign, with the name and address of the lending institution, the date and amount of the loan, the name of the guarantor, if applicable, and the total of all loans received during the reporting period
- An itemized list of each non-money (“in-kind”) contribution, excluding noncompensated, nonreimbursed volunteer services, or travel, with a description, the date of receipt, and the value of each contribution, the name and address of each person, including the candidate, making the in-kind contribution, the cumulative total from each contributor, and the total of all non-money contributions received during the reporting period
- An itemized list of each monetary contribution over fifty dollars (\$50) with the name and address of each contributor, including the candidate, each contributor’s place of business, employer, and occupation, the amount contributed, the date the contribution was accepted by the candidate, the cumulative total from each contributor, and the total of all itemized monetary contributions of over fifty dollars (\$50) received during the reporting period
- The total of all non-itemized monetary contributions of fifty dollars (\$50) or less received during the reporting period
- The total monetary contributions, the sum of itemized and non-itemized monetary contributions plus loans, received during the reporting period

- A summary of all campaign expenditures, both itemized and non-itemized, by category (filing fee, television, radio, newspaper, and other advertising, office supplies, rent, utilities, telephone, postage, direct mail, travel expenses, entertainment, fundraising, repayment of loans, returned contributions, consultant fees, polls, paid campaign workers) and the total of all campaign expenditures made during the reporting period
- A list of each paid campaign worker and the amount paid, regardless of the amount, and the total paid for all campaign workers during the reporting period
- An itemized list of each campaign expenditure over one hundred dollars (\$100), with the description and amount of the expenditure, the date of the expenditure, the name and address of any person, including the candidate, to whom the expenditure was made, and the total itemized expenditures over one hundred (\$100) made during the reporting period
- The total of all non-itemized expenditures of one hundred dollars (\$100) or less made during the reporting period
- The total expenditures, the sum of itemized and non-itemized expenditures plus the amount paid to campaign workers, made during the reporting period

**The final report shall also include:**

- The method by which surplus campaign funds, if any, were disposed
- The amount, if any, of carryover funds retained by the candidate in accordance with § 7-6-203(h)
- The amount, if any, of debt at the close of the election
- An itemized list of each campaign debt, if any, including the name and address of the creditor, the description of the debt, and the balance of the debt as of the time of filing the final report

**NOTE:** All reports required to be filed shall be verified by affidavit by the candidate or a person acting in the candidate's behalf stating that to the best of the candidate's knowledge and belief, the information disclosed is a complete, true, and accurate financial statement of the candidate's campaign contributions or expenditures.

# INSTRUCTIONS FOR COMPLETING THE CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

## STATE AND DISTRICT CANDIDATES

**SECTION 1** - Indicate general candidate information and title of office sought. Include, if applicable, information concerning the candidate's campaign committee. Also, if you are amending a report, the appropriate box at the top of the page should be checked. The law requires that the report be signed under penalty of perjury. The place for the notarized signature is at the bottom of the front page of the report.

**NOTE:** State and District candidates are required to file this report with the Secretary of State.

**SECTION 2** - Check the box for the type of election and write in the year in which the election will be held.

**SECTION 3** - Check the appropriate box to indicate which report you are completing and fill in the dates covered by the report. Please note the various types of reports included. If you are completing a quarterly report, you should check the appropriate box in the first column. If it is a monthly report, columns 2-4 list each month. In addition, there is a box for the Preelection report. Check this box if it is appropriate.

**LINE 4** - This line, along with lines 5-9, contains SUMMARY information regarding campaign finance activity during the reporting period and cumulatively for the election. Line 4 reflects the balance of campaign funds as of the beginning of the reporting period which should be the same as the ending balance on your last report (found on line 8 of your last report). Your report will normally reflect a positive balance indicating the amount of funds on hand. However, a report may reflect a debt if the prior expenditures have exceeded the amount of contributions received.

**LINE 5** - This line reflects the amount of interest earned by your campaign account. Interest earned is not treated as a contribution for reporting purposes, but is considered in calculating the balance of campaign funds at the close of the reporting period. In the first column ("For Reporting Period") you list the amount of interest earned since the last reporting period. In the second column ("Cumulative Total"), you list the cumulative total of all interest earned by your campaign account for the election thus far.

**LINE 6** - This line reflects the total amount of monetary contributions to your campaign. In the first column ("For Reporting Period") you list the amount of contributions, itemized and nonitemized, which you received during this reporting period. This figure can be found on line 17 of the Final Report and should be entered on line 6.<sup>1</sup> In the second column ("Cumulative Total") you should enter the total amount of all contributions to your campaign to date, which

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<sup>1</sup> If contributions for a general election are received during the reporting period for the primary election, those contributions should be reported in a separate but concurrent report designated for the general election. For more information on this subject, please see Ethics Commission Advisory Opinion No. 97-EC-015.

should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column of the last report. Non-money or "in-kind" contributions, as reflected on line 13, are not included in the figure for line 6.

**LINE 7** - This line reflects the total amount of expenditures made by your campaign. In the first column ("For Reporting Period") you list the amount of expenditures, itemized and nonitemized, you made during this reporting period. This figure can be found on line 26 and should be entered on line 7. In the second column ("Cumulative Total") you should list the total amount of all expenditures made by your campaign to date, which should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column in the last report.

**LINE 8** - This line should reflect the balance of your campaign funds or "cash on hand" at the close of the reporting period. This figure is calculated by adding the amounts on lines 4, 5 and 6 and subtracting from that total the figure entered on line 7.

**LINE 9** - This line should be checked only if you have not received any contributions, made any expenditures, or otherwise had any campaign financial activity during this particular reporting period. If this is true, you should check this box, and complete only the items on page 1 of the Contribution and Expenditure Report. When filing a "no activity" report, the candidate should only sign and file the front page of the report.

**SECTION 10** - The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to the candidate and applied to his or her campaign. Any personal loan made by a financial institution to a candidate and applied to his or her campaign shall be reported in Section 10 and included in the amount of total contributions reported on line 17.

If a candidate desires to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then he would need to report those personal funds as a loan in this section (Section 10). Such personal funds would be included in the amount of total contributions reported on line 17.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then those personal funds would not be reported in Section 10. Instead, they would be reported as a campaign contribution either in Section 14 or on line 16, depending upon the amount.

**LINE 11** - This line reflects the total amount of loans you received during this reporting period.

**SECTION 12** - This section is for itemization of non-money or "in-kind" contributions. Contributions to candidates may not exceed \$1,000 per election from any person and \$2,500 per

election from any political party. Campaign contribution limits apply to "in-kind" contributions as well. Examples of non-money or "in-kind" contributions are donations of equipment, furniture, office space, advertising or some other item of value. The fair market value should be listed. Noncompensated, nonreimbursed, volunteer personal services or travel are **not** considered "in-kind" contributions.

**LINE 13** - This line reflects the total amount of non-money or "in-kind" contributions listed in Section 12.

**LINE 14** - This section is for itemization of money or cash contributions over \$50. Contributions to candidates for state or district office may not exceed \$1,000 per election from any person and \$2,500 per election from any political party. These limits apply to all contributions. The law requires the candidate to list each **contributor, his or her address, place of business, employer, occupation** and the **date** and **amount** of each contribution during this reporting period. The candidate must also designate for **which election** the contribution was received by checking the applicable box in column 4. If additional pages are necessary to report all of the contributions received, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed. (NOTE: When a person having carryover funds from a prior campaign files as a candidate for public office, such carryover funds must be transferred to the person's active campaign fund. Although technically not a contribution, the transfer of such funds should be reported in this section.)

**LINE 15** - This line should reflect the total of the itemized contributions listed in Section 14.

**LINE 16** - Disclose the total amount of monetary contributions of \$50 or less received during this reporting period. A monetary contribution of \$50 or less from any person need not be itemized, but is considered a contribution for the particular individual and is credited against the maximum amount the person may contribute to the campaign. Once a contributor exceeds the \$50 threshold, for a particular election, all subsequent contributions must be itemized.

**LINE 17** - This line represents the totals from lines 11 (loans), 15 (itemized monetary contributions) and 16 (nonitemized monetary contributions). While a non-money contribution is considered as a contribution from the contributor and applies toward that person's maximum limit, non-money contributions need not be included in this line. Line 17 reflects the total amount of monetary contributions and is used in computing the balance of campaign funds at the close of the reporting period. This figure should also be entered on line 6 on the front page of the report.

**SECTION 18** - This section requires disclosure by category of all expenditures made during the reporting period. The expenditures disclosed here include both the itemized expenditures totaled on line 23 and the non-itemized expenditures totaled on line 24. The total amount for each



category should be included. If an expenditure is made which does not fall within one of the listed categories, the candidate should include and list the expenditure as "Other" and provide a description in the appropriate space. Expenditures for salaries and wages of campaign workers should be totaled and listed in the applicable category here. Additionally, expenditures for any paid campaign workers must be itemized in Section 20.

**LINE 19** - This line should reflect the total of the expenditures categorized in Section 18. The total should reflect the sum of the amounts entered on lines 23, 24 and 25 and should be the same as the amount entered on line 26.

**SECTION 20** - The law also requires each candidate to list **any person paid to work on a candidate's campaign**. This is true whether the person is a full-time employee or a part-time employee and whether the amount paid exceeds \$100 or not. The candidate should list the name of each person paid to work on the campaign during the reporting period along with the amount paid.

**LINE 21** - This line should reflect the total amount paid during the reporting period for all campaign workers. This figure should also be entered on line 25.

**SECTION 22** - This section is for itemization of expenditures over \$100 made during the reporting period. For each expenditure over \$100, the candidate must disclose the **date**, the **amount** and a **description** of the expenditure made during this reporting period and the name and address of any person, including the candidate, to whom the expenditure was made. If additional pages are necessary to report all of the expenditures made, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed.

**LINE 23** - This line should reflect the total of the itemized expenditures listed in Section 22.

**LINE 24** - Disclose the total amount of expenditures of \$100 or less made during this reporting period. An expenditure of \$100 or less need not be itemized, but must be included in the total amount of expenditures made during the reporting period.

**LINE 25** - This line reflects the total amount paid during the reporting period for all campaign workers. This figure should be the same as the one entered on line 21.

**LINE 26** - This line reflects the sum of the amounts entered on lines 23 (itemized expenditures), 24 (nonitemized expenditures) and 25 (paid campaign workers). This figure should be the same as the one entered on line 7 on the front page of the report and on line 19.

# CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

State and District Candidates Only

To be filed with:  
**Charlie Daniels, Secretary of State**  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

☐ Check if this report is an amendment

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

**THIS FORM CANNOT BE USED FOR THE FINAL REPORT - ALL INFORMATION MUST BE COMPLETE  
THIS REPORT MUST BE FILED WITH THE SECRETARY OF STATE**

1. Name of Candidate

Address

City, State and Zip

Phone Number:

Office Sought

District Number:

Does the candidate have a campaign committee? ( ) Yes ( ) No  
If yes, complete the following:

Name of Chairperson/Treasurer:

Mailing Address:

Phone Number:

(Secretary of State File Stamp)

2. Type of Election: (check one only) Year of Election: \_\_\_\_\_

☐ Preferential Primary ☐ General ☐ General Primary (run-off) ☐ Special

3. Type of Report: (check one only)

This report covers what period? ( / / ) through ( / / )

☐ 10 Day Preelection

☐ First Quarter (due April 15)

☐ Second Quarter (due July 15)

☐ Third Quarter (due October 15)

☐ Fourth Quarter (due January 15)

☐ January Monthly

☐ February Monthly

☐ March Monthly

☐ April Monthly

☐ May Monthly

☐ June Monthly

☐ July Monthly

☐ August Monthly

☐ September Monthly

☐ October Monthly

☐ November Monthly

☐ December Monthly

SUMMARY	FOR REPORTING PERIOD	CUMULATIVE TOTAL
4. Balance of campaign funds at beginning of reporting period		
5. Interest (if any) earned on campaign account		
6. Total Monetary Contributions (enter total from line 17)		
7. Total Expenditures (enter total from line 26)		
8. Balance of campaign funds at close of reporting period		
9. ( ) NO ACTIVITY (check if you have not received or spent money during this reporting period)		

I certify to the best of my knowledge and belief that the information disclosed in this report is a complete, true, and accurate financial statement of my (the candidate's) campaign contributions and expenditures.

\_\_\_\_\_  
Signature of Candidate or Candidate's Representative

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_, County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Legible Notary Seal)

Notary Signature \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days.**

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

## 10. LOAN INFORMATION

Please Type or Print  
Do not list loans previously reported

DATE	NAME AND ADDRESS OF LENDING INSTITUTION	GUARANTOR(S) IF ANY	AMOUNT
11. TOTAL LOANS DURING REPORTING PERIOD			\$

### **IMPORTANT**

The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to the candidate and applied to his campaign. Any personal loan made by a financial institution to a candidate and applied to his campaign shall be reported in Section 10 and included in the amount of total contributions reported on line 19.

If a candidate desires to use or raise campaign funds to repay himself for personal funds that he contributed to the campaign, then he would need to report those personal funds as a loan in Section 10. Such personal funds would be included in the amount of total contributions reported on line 19.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds that he contributed to the campaign, then those personal funds would not be reported in Section 10. Instead, they would be reported as a campaign contribution either in Section 16 or on line 18, depending upon the amount.

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

## 12. NONMONEY CONTRIBUTIONS

(Does not include volunteer services by individuals)

Date of receipt	Full Name and Address of Contributor	Description of nonmoney item	Value of nonmoney item	Cumulative Total From This Contributor
13. TOTAL NONMONEY CONTRIBUTIONS				

### **IMPORTANT**

In addition to monetary contributions, candidates are required to report the receipt of any nonmonetary ("in-kind") contributions. A candidate receives an in-kind contribution whenever a person provides him with an item or service without charge or for a charge which is less than the fair market value of the item or service in question.

The value of an in-kind contribution is the difference between the fair market value and the amount charged. In-kind contributions are addressed in greater detail in Sections 205 and 206 of the Commission's Rules on Campaign Finance & Disclosure.

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

## 14. ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

(Use Additional Copies Of This Page If Necessary)

Date	Full Name And Mailing Address Of Contributor	Place Of Business/ Employer/Occupation	Amount Of Contribution	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
<b>Subtotal of Contributions This Page</b>				

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

# ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

Date	Full Name And Mailing Address Of Contributor	Place Of Business/ Employer/Occupation	Amount Of Contribution	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
<b>15. TOTAL ITEMIZED MONETARY CONTRIBUTIONS OVER \$50</b>				
<b>16. TOTAL NONITEMIZED MONETARY CONTRIBUTIONS</b>				
<b>17. TOTAL MONETARY CONTRIBUTIONS THIS REPORT</b> (includes totals from lines 11, 15 and 16)				

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

## Please Type or Print

## 22. ITEMIZED CAMPAIGN EXPENDITURES OVER \$100

Please Type or Print  
(Use additional copies of this page if necessary)

[illegible]

**Note: All Expenditures Reflected on Lines 23, 24, and 25 Should Be Totaled by Category In Section 18**

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISÉD 07/03



# **INSTRUCTIONS FOR COMPLETING THE FINAL CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT**

## **STATE AND DISTRICT CANDIDATES**

**SECTION 1** - Indicate general candidate information and title of office sought. If applicable, include information concerning the candidate's campaign committee. The candidate should indicate the year of the election on the top of the report. Also, if you are completing an amended final report, the appropriate box at the top of the page should be checked. The law requires that the report be signed under penalty of perjury. The place for the notarized signature is at the bottom of the front page of the report.

<p><b>NOTE:</b> State and District candidates are required to file this report with the Secretary of State.</p>
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**SECTION 2** - Check the box for the election to which this final report applies (*i.e.*, preferential primary, general primary (run-off), general or special election) and indicate the time period covered by this final report.

**SECTION 3** - This section only applies if the candidate has concluded his campaign with a surplus of funds.

This section discloses the method used to dispose surplus campaign funds. "Surplus campaign funds" are defined as the balance of campaign funds over expenses incurred as of the day of the election except for carryover funds and any funds required to reimburse the candidate for personal funds contributed to the campaign or to repay loans made by financial institutions to the candidate and applied to his or her campaign.

"Carryover funds" refers to the amount of campaign funds retained from the last election by the candidate for future use but not to exceed the annual salary for the office sought. The amount of carryover funds retained, if any, are to be reflected on line 8 of this report.

The law requires candidates to dispose of surplus campaign funds within thirty (30) days following the end of the month in which the election is held and to disclose how the surplus campaign funds were disbursed. The funds may be disbursed in any one or more of the four methods listed on this report. The candidate should check each box which is applicable.

**LINE 4** - This line, along with lines 5-9, contains SUMMARY information regarding campaign finance activity during the reporting period and cumulatively for the election. Line 4 reflects the balance of campaign funds as of the beginning of the reporting period which should be the same as the ending balance on your last report (found on line 8 of your last report). Your report will normally reflect a positive balance indicating the amount of funds on hand. However, a report may reflect a debt if the prior expenditures have exceeded the amount of contributions received.

**LINE 5** - This line reflects the amount of interest earned by your campaign account. Interest

earned is not treated as a contribution for reporting purposes, but is considered in calculating the balance of campaign funds at the close of the reporting period. In the first column ("For Reporting Period") you list the amount of interest earned since the last reporting period. In the second column ("Cumulative Total"), you list the cumulative total of all interest earned by your campaign account for the election thus far.

**LINE 6** - This line reflects the total amount of monetary contributions to your campaign. In the first column ("For Reporting Period") you list the amount of contributions, itemized and nonitemized, which you received during this reporting period. This figure can be found on line 17 of the final report and should be entered on line 6. In the second column ("Cumulative Total") you should enter the total amount of all contributions to your campaign to date, which should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column of the last report. Non-money or "in-kind" contributions, as reflected on line 13, are not included in the figure for line 6.

**LINE 7** - This line reflects the total amount of expenditures made by your campaign. In the first column ("For Reporting Period") you list the amount of expenditures, itemized and nonitemized, you made during this reporting period. This figure can be found on line 26 and should be entered on line 7. In the second column ("Cumulative Total") you should list the total amount of all expenditures made by your campaign to date, which should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column in the last report.

**LINE 8** - This line reflects the status of the campaign account after all contributions and expenditures, including the disbursement of any surplus funds. If a candidate has carryover funds remaining in his or her campaign account<sup>1</sup> for use as officeholder expenses or for future campaign purposes, the amount of the carryover funds should be indicated in the second column on line 8. If, instead of a surplus, the campaign has ended with a debt, the candidate must enter the amount of the debt in the second column on line 8. The amount noted as debt should be in brackets, *i.e.* "\$1,200". The amount of debt entered on line 8 should be the same amount reflected on line 28 and the outstanding items which make up this debt figure should be listed in Section 27.

**LINE 9** - This line should be checked only if you have not received any contributions, made any expenditures, or otherwise had any campaign financial activity during this particular reporting period. If this is true, you should check this box, and complete only the items on page 1 of the Contribution and Expenditure Report. When filing a "no activity" report, the candidate should only sign and file the front page of the report.

**SECTION 10** - The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to a candidate and applied to his or her campaign. Any personal loan made by a financial institution to a candidate and applied to his or her campaign shall be reported in Section 10 and included in the amount of total contributions reported on line 17.

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<sup>1</sup> See the instructions for Section 3, herein, for a definition of "carryover funds."

If a candidate desires to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then he would need to report those personal funds as a loan in this section (Section 10). Such personal funds would be included in the amount of total contributions reported on line 17.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then those personal funds would not be reported in Section 10. Instead, they would be reported as a campaign contribution either in Section 14 or on line 16, depending on the amount.

If a candidate has unpaid loans at the time of the primary, runoff, special or general election, the source, description and amount of each such loan should be itemized in Section 27. A candidate ending his or her campaign in debt is permitted to raise funds to retire the debt subject to the restrictions contained in Ark. Code Ann. § 7-6-219.

**LINE 11** – This line reflects the total amount of loans you received during this reporting period.

**SECTION 12** - This section is for itemization of non-money or "in-kind" contributions. Contributions to candidates may not exceed \$1,000 per election from any person and \$2,500 per election from any political party. These limits apply to "in-kind" contributions as well. Examples of non-money or "in-kind" contributions are donations of equipment, furniture, office space, advertising or some other item of value. The fair market value should be listed. Noncompensated, nonreimbursed, volunteer personal services or travel are **not** considered "in-kind" contributions.

**LINE 13** – This line reflects the total amount of non-money or "in-kind" contributions listed in Section 12.

**LINE 14** - This section is for itemization of money or cash contributions over \$50. Contributions for candidates for state or district office may not exceed \$1,000 per election from any person and \$2,500 per election from any political party. These limits apply to all contributions. The law requires the candidate to list each **contributor, his or her address, place of business, employer, occupation** and the **date and amount** of each contribution during this reporting period. The candidate must also designate for **which election** the contribution was received by checking the applicable box in column 4. If additional pages are necessary to report all of the contributions received, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed. (NOTE: When a person having carryover funds from a prior campaign files as a candidate for public office, such carryover funds must be transferred to the person's active campaign fund. Although technically not a contribution, the transfer of such funds should be reported in this section.)

**LINE 15** - This line should reflect the total of the itemized contributions listed in Section 14.

**LINE 16** – Disclose the total amount of monetary contributions of \$50 or less received during this reporting period. A monetary contribution of \$50 or less from any person need not be

itemized, but is considered a contribution for the particular individual and is credited against the maximum amount the person may contribute to the campaign. Once a contributor exceeds the \$50 threshold for a particular election, all subsequent contributions must be itemized.

**LINE 17** - This line reflects the totals from lines 11 (loans), 15 (itemized monetary contributions) and 16 (nonitemized monetary contributions). While a non-money contribution is considered as a contribution from the contributor and applies toward that person's maximum limit, non-money contributions are not entered on this line. Line 17 reflects the total amount of monetary contributions and is used in computing the balance of the amount of carryover funds or debt at the close of the reporting period. This figure should also be entered on line 6 on the front page of the report.

**SECTION 18** - This section requires disclosure by category of all expenditures made during the reporting period. The expenditures disclosed here include both the itemized expenditures totaled on line 23 and the non-itemized expenditures totaled on line 24. The total amount for each category should be included. If an expenditure is made which does not fall within one of the listed categories, the candidate should include and list the expenditure as "Other" and provide a description in the appropriate space. Expenditures for salaries and wages of campaign workers should be totaled and listed in the applicable category here. Additionally, expenditures for any paid campaign workers must be itemized in Section 20.

**LINE 19** - This line should reflect the total of the expenditures categorized in Section 18. The total should reflect the sum of the amounts entered on lines 23, 24 and 25 and should be the same as the amount entered on line 26.

**SECTION 20** - The law also requires each candidate to list **any person paid to work on a candidate's campaign**. This is true whether the person is a full-time employee or a part-time employee and whether the amount paid exceeds \$100 or not. The candidate should list the name of each person paid to work on the campaign during the reporting period along with the amount paid.

**LINE 21** - This line should reflect the total amount paid during the reporting period for all campaign workers. This figure should also be entered on line 25.

**SECTION 22** - This section is for itemization of expenditures over \$100 made during the reporting period. For each expenditure over \$100, the candidate must disclose the **date**, the **amount** and a **description** of the expenditure made during this reporting period and the name and address of any person, including the candidate, to whom the expenditure was made. If additional pages are necessary to report all of the expenditures made, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed.

**LINE 23** - This line should reflect the total of the itemized expenditures listed in Section 22.

**LINE 24** - Disclose the total amount of expenditures of \$100 or less made during this reporting period. An expenditure of \$100 or less need not be itemized, but must be included in the total amount of expenditures made during the reporting period.

**LINE 25** - This line reflects the total amount paid during the reporting period for all campaign workers. This figure should be the same as the one entered on line 21.

**LINE 26** - This line reflects the sum of the amounts entered on lines 23 (itemized expenditures), 24 (nonitemized expenditures) and 25 (paid campaign workers). This figure should be the same as the one entered on line 7 on the front page of the report and on line 19.

**SECTION 27** - This section should only be completed if the candidate has outstanding debts (including unpaid loans) after an election. The amount entered on line 28 should also be entered on line 8 of the report. If the campaign has ended in debt, the candidate must detail each item which constitutes a part of the total campaign debt. For each creditor, the candidate should list the **name and address of the creditor**, a **description of the debt** (*e.g.*, "consulting services") and the **balance of the debt** as of the time of filing the final report. If additional pages are necessary to report all of the campaign debt, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed.

**LINE 28** - This line reflects the total amount of all debts listed in Section 27. This figure should also be the same as the one entered on line 8 on the front page of the report.

# FINAL CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

For State and District Candidates Only

To be filed with:  
**Charlie Daniels, Secretary of State**  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

Year of Election \_\_\_\_\_

☐ Check if this report is an amendment

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

**ALL INFORMATION IN THIS REPORT MUST BE COMPLETE  
THIS REPORT MUST BE FILED WITH THE SECRETARY OF STATE**

## 1. Name of Candidate

Address

City, State and Zip

Phone Number

Office Sought

District Number:

Does the candidate have a campaign committee? ☐ Yes ☐ No

If yes, complete the following:

Name of Chairperson/Treasurer:

(Secretary of State File Stamp)

Mailing Address

Phone Number

## 2. Type of Election: (check one only)

☐ Preferential Primary ☐ General Primary (Run-Off) ☐ General ☐ Special

This report covers what period? ( / / ) through ( / / )

## 3. Method by which surplus campaign funds were disposed of:

- ☐ Treasurer of State (for benefit of General Revenue Fund Account of the State Apportionment Fund)  
☐ An organized political party or a political party caucus of the Arkansas General Assembly, the Senate or the House of Representatives  
☐ Contributors to the candidate's campaign  
☐ A nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code

### SUMMARY

### FOR REPORTING PERIOD

### CUMULATIVE TOTAL

4. Balance of campaign funds at beginning of reporting period

5. Interest (if any) earned on campaign account

6. Total Monetary Contributions (enter total from line 17)

7. Total Expenditures (enter total from line 26)

8. Carryover Funds or Debt at close of election (use brackets to indicate debt)

9. ( ) NO ACTIVITY (check if you have not received or spent money during this reporting period)

I certify to the best of my knowledge and belief that the information disclosed in this report is a complete, true, and accurate financial statement of my (the candidate's) campaign contributions and expenditures.

Signature of Candidate or Candidate's Representative

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_, County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Legible Notary Seal)

Notary Signature \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days.**

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

## 10. LOAN INFORMATION

Please Type or Print  
Do not list loans previously reported

DATE	NAME AND ADDRESS OF LENDING INSTITUTION	GUARANTOR(S), IF ANY	AMOUNT OF LOAN
11. TOTAL LOANS DURING REPORTING PERIOD			\$

### **IMPORTANT**

The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to the candidate and applied to his campaign. Any personal loan made by a financial institution to a candidate and applied to his campaign shall be reported in Section 10 and included in the amount of total contributions reported on line 17.

If a candidate desires to use or raise campaign funds to repay himself for personal funds that he contributed to the campaign, then he would need to report those personal funds as a loan in Section 10. Such personal funds would be included in the amount of total contributions reported on line 17.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds that he contributed to the campaign, then those personal funds would not be reported in Section 10. Instead, they would be reported as a campaign contribution either in Section 14 or on line 16, depending upon the amount.

If a candidate has unpaid loans at the time of the primary, runoff or general election, the source, description and amount of each such loan should be itemized in Section 27. A candidate ending his or her campaign in debt is permitted to raise funds to retire the debt subject to the restrictions contained in Ark. Code Ann. § 7-6-219.

## 12. NONMONEY CONTRIBUTIONS

(Does not include volunteer services by individuals)

Date of Receipt	Full Name and Address of Contributor	Description of nonmoney item	Value of nonmoney item	Cumulative Total From This Contributor
13. TOTAL NONMONEY CONTRIBUTIONS				

### **IMPORTANT**

In addition to monetary contributions, candidates are required to report the receipt of any nonmonetary ("in-kind") contributions. A candidate receives an in-kind contribution whenever a person provides him with an item or service without charge or for a charge which is less than the fair market value of the item or service in question.

The value of an in-kind contribution is the difference between the fair market value and the amount charged. In-kind contributions are addressed in greater detail in Sections 205 and 206 of the Commission's Rules on Campaign Finance & Disclosure.

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03



## 14. ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

*Please Type or Print  
(Use copies of this page as needed)*

Date	Full Name and Mailing Address of Contributor	Place of Business/ Employer/Occupation	Amount of Contribution	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
<b>Subtotal of Contributions This Page</b>				

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

# ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

Date	Full Name and Mailing Address of Contributor	Place of Business/ Employer/Occupation	Amount of Contribution	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
15. TOTAL ITEMIZED MONETARY CONTRIBUTIONS OVER \$50				
16. TOTAL NONITEMIZED MONETARY CONTRIBUTIONS				
17. TOTAL MONETARY CONTRIBUTIONS THIS REPORT (includes lines 11, 15 and 16)				

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

REVISED 07/03

## Please Type or Print

(Include any person you paid to work on your campaign, does not have to be full-time worker)

<b>21. TOTAL AMOUNT PAID CAMPAIGN WORKERS</b>	<b>\$</b>
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## 22. ITEMIZED CAMPAIGN EXPENDITURES OVER \$100

*Please Type or Print*

*(Use copies of this page as needed)*

Name and Address of Supplier/Payee	Description of Expenditure	Date of Expenditure	Amount of Expenditure
<b>23. TOTAL ITEMIZED EXPENDITURES THIS REPORT</b>			
<b>24. TOTAL NONITEMIZED EXPENDITURES THIS REPORT</b>			
<b>25. TOTAL PAID CAMPAIGN WORKERS THIS REPORT (enter total from line 21)</b>			
<b>26. TOTAL EXPENDITURES THIS REPORT (includes lines 23, 24 and 25)</b>			

**NOTE: Expenditures Reflected on Lines 23, 24 and 25 Should Be Totaled by Category in Section 18**

**(INCLUDING UNPAID LOANS)**

*Use additional pages if necessary*

## 28. TOTAL DEBT

**CAMPAIGN CONTRIBUTION  
AND  
EXPENDITURE REPORT  
(County, Municipal and School Board Candidates)**

**The “Campaign Contribution and Expenditure Report” for County, Municipal, and School Board Candidates shall indicate:**

- General candidate information with the title of the office sought and, if applicable, information regarding the candidate’s campaign committee
- The type of election and the year in which the election will be held
- The type of report being completed and the dates covered by the report and, if the report is a final report, the method by which surplus campaign funds were disposed of
- A summary of campaign finance activity for the reporting period and cumulative for the election
- An itemized list of each personal loan made to a candidate by a financial institution and applied toward the candidate’s campaign, the name and address of the lending institution, the date and amount of the loan, the name of the guarantor, if applicable, and the total of all loans received during the reporting period
- An itemized list of each non-money (“in-kind”) contribution excluding noncompensated, nonreimbursed volunteer services or travel, with a description, the date of receipt, and the value of each contribution, the name and address of each person, including the candidate, making the in-kind contribution, the cumulative total from each contributor, and the total of all non-money contributions received during the reporting period
- An itemized list of each monetary contribution over fifty dollars (\$50) with the name and address of each contributor, including the candidate, each contributor’s place of business, employer, and occupation, the amount contributed, the date the contribution was accepted by the candidate, the cumulative total from each contributor, and the total of all itemized monetary contributions over fifty dollars (\$50) received during the reporting period
- The total of all non-itemized monetary contributions of fifty dollars (\$50) or less received during the reporting period

- The total monetary contributions, the sum of itemized and non-itemized monetary contributions plus loans, received during the reporting period
- A summary of all campaign expenditures, both itemized and non-itemized by category (filing fee, television, radio, newspaper, and other advertising, office supplies, rent, utilities, telephone, postage, direct mail, travel expenses, entertainment, fundraising, repayment of loans, returned contributions, consultant fees, polls, paid campaign workers) and the total of all campaign expenditures made during the reporting period
- A list of each paid campaign worker and the amount paid, regardless of the amount, and the total paid for all campaign workers during the reporting period
- An itemized list of each campaign expenditure over one hundred dollars (\$100), with the description and amount of the expenditure, the date of the expenditure, the name and address of any person, including the candidate, to whom the expenditure was made, and the total itemized expenditures over one hundred (\$100) made during the reporting period
- The total of all nonitemized expenditures of one hundred dollars (\$100) or less made during the reporting period
- The total expenditure, the sum of itemized and non-itemized expenditures plus the amount paid to campaign workers, made during the reporting period

**The final report shall also include:**

- The method by which surplus campaign funds, if any, were disposed
- The amount, if any, of carryover funds retained by the candidate in accordance with § 7-6-203(h)
- The amount, if any, of debt at the close of the election
- An itemized list of each campaign debt, if any, including the name and address of the creditor, the description of the debt, and the balance of the debt as of the time of filing the final report

**NOTE:** All reports required to be filed shall be verified by affidavit by the candidate or a person acting in the candidate's behalf stating that to the best of his or her knowledge and belief, the information disclosed is a complete, true, and accurate financial statement of the candidate's campaign contributions or expenditures.

# INSTRUCTIONS FOR COMPLETING THE CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

## COUNTY, MUNICIPAL AND SCHOOL BOARD CANDIDATES

**SECTION 1** - Indicate general candidate information and title of office sought. If applicable, include information concerning the candidate's campaign committee. Also, if you are amending a report, the appropriate box at the top of the page should be checked. The law requires that the report be signed under penalty of perjury. The place for the notarized signature is at the bottom of the front page of the report.

**NOTE:** County, Municipal and School Board candidates are required to file a copy of this report with the County Clerk of the county in which the election is held.

**SECTION 2** - Check the box for the type of election and write in the year in which the election will be held.

**SECTION 3** - Check the appropriate box to indicate which type of report you are completing. Please note each type of report included here. Also, please complete the blanks indicating the dates covered by this report. When filing a final report, a candidate must indicate the method in which surplus funds are disposed of.

**LINE 4** - This line, along with lines 5-9, contains SUMMARY information regarding campaign finance activity during the reporting period and cumulatively for the election. Line 4 reflects the balance of campaign funds as of the beginning of the reporting period which should be the same as the ending balance on your last report (found on line 8 of your last report). Your report will normally reflect a positive balance indicating the amount of funds on hand. However, a report may reflect a debt if prior expenditures have exceeded the amount of contributions received.

**LINE 5** - This line reflects the amount of interest earned by your campaign account. Interest earned is not treated as a contribution for reporting purposes, but is considered in calculating the balance of campaign funds at the close of the reporting period. In the first column ("For Reporting Period") you list the amount of interest earned since the last reporting period. In the second column ("Cumulative Total"), you list the cumulative total of all interest earned by your campaign account for the election thus far.

**LINE 6** - This line reflects the total amount of monetary contributions for your campaign. In the first column ("For Reporting Period") you list the amount of contributions, itemized and nonitemized, you received during this reporting period.<sup>1</sup> This figure can be found on line 18 and should be entered on line 6. In the second column ("Cumulative Total") you should enter the total amount of all contributions to your campaign to date, which should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column of the last report. Non-money or "in-kind" contributions, as reflected on line 14, are not included in the figure for line 6.

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<sup>1</sup> If contributions for a general election are received during the reporting period for the primary election, those contributions should be reported in a separate but concurrent report designated for the general election. For more information on this subject, please see Ethics Commission Advisory Opinion No. 97-EC-015.



**LINE 7** - This line reflects the total amount of expenditures made by your campaign. In the first column ("For Reporting Period") you list the amount of expenditures, itemized and nonitemized, you made during this reporting period. This figure can be found on line 27 and should be entered on line 7. In the second column ("Cumulative Total") you should list the total amount of all expenditures to your campaign to date, which should be calculated by adding the figure reported in the first column of this report to the figure reported in the second column in the last report.

**LINE 8** - This line should reflect the balance of your campaign funds or "cash on hand" at the close of the reporting period. This figure is calculated by adding the amounts on lines 4, 5 and 6 and subtracting from that total the figure listed on line 7.

**LINE 9** - When filing a final report for a particular election, the candidate should indicate either the balance of funds remaining after the payment of all debts or the amount of all debts (including loans) which remain unpaid. Line 9 of a candidate's final report should either reflect "cash on hand" or debts (but not both).

**LINE 10** - This line should be checked only if you have not received any contributions, made any expenditures, or otherwise had any campaign financial activity during this particular reporting period. If this is true, you should check this box, and complete only the items on page 1 of the Contribution and Expenditure Report. When filing a "no activity" report, the candidate should only sign and file the front page of the report.

**SECTION 11** - The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to the candidate and applied to his campaign. Any personal loan made by a financial institution to a candidate and applied to his campaign should be reported in Section 11 and included in the amount of total monetary contributions reported on line 18.

If a candidate desires to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then he would need to report those personal funds as a loan in Section 11. Such personal funds would be included in the amount of total monetary contributions reported on line 18.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then those personal funds would not be reported in Section 11. Instead, they would be reported as a campaign contribution either in Section 15 or on line 17, depending upon the amount.

If a candidate has unpaid loans at the end of a primary, runoff, special, or general election, the source, description and amount of each such loan should be itemized in Section 28. Candidates ending their campaign in debt are permitted to raise funds to retire the debt subject to the restrictions contained in Ark. Code Ann. § 7-6-219.

**LINE 12** - This line reflects the total amount of loans you received during this reporting period.

**SECTION 13** - This section is for itemization of non-money or "in-kind" contributions. Contributions to candidates may not exceed \$1,000 per election from any person and \$2,500 per election from any political party. Campaign contribution limits apply to "in-kind" contributions

as well. Examples of non-money or "in-kind" contributions are donations of equipment, furniture, office space, advertising or some other item of value. The fair market value should be listed. Noncompensated, nonreimbursed, volunteer personal services or travel are **not** considered "in-kind" contributions.

**LINE 14** - This line reflects the total amount of non-money or "in-kind" contributions listed in Section 13.

**SECTION 15** - This section is for itemization of money or cash contributions over \$50. Contributions to candidates for county, municipal, or school board office may not exceed \$1,000 per election from any person and \$2,500 per election from any political party. These limits apply to all contributions. The law requires the candidate to list each **contributor**, his/her **address, place of business, employer, occupation** and the **date** and **amount** of each contribution during this reporting period. The candidate must also designate for **which election** the contribution was received by checking the applicable box in column 4. If additional pages are necessary to report all of the contributions received, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed. (NOTE: When a person having carryover funds from a prior campaign files as a candidate for public office, such carryover funds must be transferred to the person's active campaign fund. Although technically not a contribution, the transfer of such funds should be reported in this section.)

**LINE 16** - This line should reflect the total of the itemized contributions listed in Section 15.

**LINE 17** - Disclose the total amount of monetary contributions of \$50 or less received during this reporting period. A monetary contribution of \$50 or less from any person need not be itemized, but is considered a contribution for the particular individual and is credited against the maximum amount the person may contribute to the campaign. Once a contributor exceeds the \$50 threshold for a particular election, all subsequent contributions must be itemized.

**LINE 18** - This line reflects the totals from lines 12 (loans), 16 (itemized contributions) and 17 (nonitemized contributions). While a non-money contribution is considered as a contribution from the contributor and applies toward that person's maximum limit, non-money contributions are not included in the amount entered on this line. Line 18 reflects the total amount of monetary contributions and is used in computing the balance of campaign funds at the close of the reporting period. This figure should also be entered on line 6 on the front page of the report.

**SECTION 19** - This section requires disclosure by category of all expenditures made during the reporting period. The expenditures disclosed here include both the itemized expenditures, listed in Section 23, and the non-itemized expenditures which comprise the total found on line 25. The total amount for each category should be included. If an expenditure is made which does not fall within one of the listed categories, the candidate should include and list the expenditure as "Other" and provide a description in the appropriate space. Expenditures for salaries and wages of campaign workers should be totaled and listed in the applicable category here. Additionally, expenditures for any paid campaign workers must be itemized in Section 21.

**LINE 20** - This line should reflect the total of the expenditures as categorized in Section 19. The total should reflect the combination of the figures on lines 24, 25 and 26 and should be the same as the figure on line 27.

**SECTION 21** - The law also requires each candidate to list **any person paid to work on a candidate's campaign**. This is true whether the person is a full-time employee or a part-time employee and whether the amount paid exceeds \$100 or not. The candidate should list the name of each person paid to work on the campaign along with the amount paid.

**LINE 22** - This line should reflect the total amount paid during the reporting period for all campaign workers. This figure should also be entered on line 26.

**SECTION 23** - This section is for itemization of expenditures over \$100 made during the reporting period. For each expenditure over \$100, the candidate must disclose the **date**, the **amount**, and the **description** of the expenditure made during this reporting period, and the name and address of any person, including the candidate, to whom the expenditure was made. If additional pages are necessary to report all of the expenditures made, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed.

**LINE 24** - This line should reflect the total of the itemized expenditures listed in Section 23.

**LINE 25** - Disclose the total amount of expenditures of \$100 or less made during this reporting period. An expenditure of \$100 or less need not be itemized, but must be included in the total amount of expenditures made during the reporting period.

**LINE 26** - This line should reflect the total amount paid during the reporting period for all campaign workers. This figure should be the same as the one entered on line 22.

**LINE 27** - This line reflects the totals from lines 24 (itemized expenditures), 25 (nonitemized expenditures) and 26 (paid campaign workers). This figure should also be the same as the one entered on line 7 on the front page of the report and on line 20.

**SECTION 28** - This section should only be completed if the candidate has outstanding debts (including unpaid loans) after an election. The amount entered on line 29 should also be entered on line 9 of the report. If the campaign has ended with a debt, the candidate must detail each item which constitutes a part of the total campaign debt. For each creditor, the candidate should list the name and address of the creditor, the description of the debt (e.g. "consultant services"), and the balance of the debt as of the time of filing the final report. If additional pages are necessary to report all of the campaign debt, this page of the Contribution and Expenditure Report may be photocopied and attached to the report when the report is filed.

**LINE 29** - This line reflects the total of all debt reflected in Section 28. This figure should also be the same as the one entered on line 8 of the front page of the report.

# CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT

For County, Municipal and School Board Candidates

☐ Check if this report is an amendment

**This report should be filed with the County Clerk of the county in which the election is held**

1. Name of Candidate

Address

City, State and Zip

Phone Number:

Office Sought

District Number

(Clerk's File Stamp)

Does the candidate have a campaign committee? ( ) Yes ( ) No  
If yes, complete the following:

Name of Chairperson/Treasurer:

Mailing Address

Phone Number:

2. Type of Election: (check only one) Year of Election \_\_\_\_\_

☐ Primary ☐ Primary Runoff ☐ General ☐ General Runoff ☐ Special

3. Type of Report: (check one)

This report covers what period? ( / / ) through ( / / )

☐ Preelection report

☐ Final report (check method by which surplus campaign funds were disposed of)

☐ Treasurer of State (for benefit of General Revenue Fund Account of the State Apportionment Fund)

☐ An organized political party or a political party caucus of the Arkansas General Assembly, the Senate or the House of Representatives

☐ Contributors to the candidate's campaign

☐ A nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code

☐ Supplemental Report

## SUMMARY

FOR REPORTING PERIOD

CUMULATIVE TOTAL

4. Balance of campaign funds at beginning of reporting period

5. Interest (if any) earned on campaign account

6. Total Monetary Contributions (enter total from line 18)

7. Total Expenditures (enter total from line 27)

8. Balance of campaign funds at close of reporting period

9. If this is candidate's final report for an election, amount of carryover funds or outstanding indebtedness (use brackets to indicate debt)

10. ( ) NO ACTIVITY (check if you have not received or spent money during this reporting period)

I certify to the best of my knowledge and belief that the information disclosed in this report is a complete, true, and accurate financial statement of my (the candidate's) campaign contributions and expenditures.

Signature of Candidate or Candidate's Representative

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_, County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Legible Notary Seal)

Notary Signature \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days.**

## 11. LOAN INFORMATION

Please Type or Print  
Do not list loans previously reported

DATE	NAME AND ADDRESS OF LENDING INSTITUTION	GUARANTOR(S) IF ANY	AMOUNT
12. TOTAL LOANS DURING REPORTING PERIOD			\$

### **IMPORTANT**

The limits on campaign contributions do not apply to a candidate's own contribution from personal funds or to personal loans made by financial institutions to the candidate and applied to his campaign. Any personal loan made by a financial institution to a candidate and applied to his campaign shall be reported in Section 11 and included in the amount of total contributions reported on line 18.

If a candidate desires to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then he would need to report those personal funds as a loan in Section 11. Such personal funds would be included in the amount of total contributions reported on line 18.

If a candidate does not desire to use or raise campaign funds to repay himself for personal funds which he contributed to the campaign, then those personal funds would not be reported in Section 11. Instead, they would be reported as a campaign contribution either in Section 15 or on line 17, depending upon the amount.

If a candidate has unpaid loans at the end of the primary, runoff, special, or general election, the source, description and amount of each such loan should be itemized in Section 28. Candidates ending their campaign in debt are permitted to raise funds to retire the debt subject to the restrictions contained in Ark. Code Ann. § 7-6-219.

### 13. NONMONEY CONTRIBUTIONS

Does not include volunteer services by individuals

Date of receipt	Full Name and Address of Contributor	Description of nonmoney item	Value of nonmoney item	Cumulative Total From This Contributor
14. TOTAL NONMONEY CONTRIBUTIONS				

### **IMPORTANT**

In addition to monetary contributions, candidates are required to report the receipt of any nonmonetary ("in-kind") contributions. A candidate receives an in-kind contribution whenever a person provides him with an item or service without charge or for a charge that is less than the fair market value of the item or service in question.

The value of an in-kind contribution is the difference between the fair market value and the amount charged. In-kind contributions are addressed in greater detail in Sections 205 and 206 of the Commission's Rules on Campaign Finance & Disclosure.

## 15. ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

*Please Type or Print  
(Use copies of this page as needed)*

Date	Full Name and Mailing Address of Contributor	Place Of Business Employer/Occupation	Amount of Contribution	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
<b>Subtotal of Contributions This Page</b>				

# ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

Date	Full Name and Mailing Address of Contributor	Place Of Business Employer/Occupation	Amount of Contribution <input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	Cumulative Total From This Contributor
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-Off <input type="checkbox"/> General <input type="checkbox"/> Debt	
<b>16. TOTAL ITEMIZED MONETARY CONTRIBUTIONS OVER \$50</b>				
<b>17. TOTAL NONITEMIZED MONETARY CONTRIBUTIONS</b>				
<b>18. TOTAL MONETARY CONTRIBUTIONS THIS REPORT</b> (includes totals from lines 12, 16 and 17)				



*Please Type or Print*

## 23. ITEMIZED CAMPAIGN EXPENDITURES OVER \$100

Please Type or Print

(Use copies of this page as needed)

[illegible]

**NOTE: Expenditures Reflected on Lines 24, 25 and 26 Should Be Totaled by Category in Section 19**

**28. OUTSTANDING CAMPAIGN DEBTS**  
**(including unpaid loans)**  
**To Be Completed On Candidate's Final Report For An Election**

Please Type or Print  
Use additional pages if necessary

[illegible]

## STATEMENT OF FINANCIAL INTEREST

**The “Statement of Financial Interest” shall include:**

- The name of the candidate and all names under which doing business
- The name of the candidate’s spouse and all names under which doing business
- The reason(s) for filing the “Statement of Financial Interest”
- The name and address of each employer and of each other source of gross income exceeding one thousand dollars (\$1,000) annually received for the use or benefit of the candidate or his or her spouse with a brief description of the services for which compensated  
**NOTE:** This does not require the disclosure of individual items of income that constitute a portion of the gross income of the business or profession from which the candidate or his or her spouse derives income.
- Identification of each source of gross income as described above of more than twelve thousand five hundred dollars (\$12,500)  
**NOTE:** This does not require the disclosure of individual items of income that constitute a portion of the gross income of the business or profession from which the candidate or his or her spouse derives income.
- The name and address of every business in which the candidate and his or her spouse, or any other person for the use or benefit of the candidate or his or her spouse, have an investment or holdings in excess of one thousand dollars (\$1,000) at fair market value as of the last day of the previous calendar year
- Identification of each source described above with a fair market value in excess of twelve thousand five hundred dollars (\$12,500) as of the last day of the previous calendar year
- Every office or directorship held by the candidate or his or her spouse in any business, corporation, firm, or enterprise subject to jurisdiction of a regulatory agency of this state, or of any of its political subdivisions including the name and address of each such business, corporation, firm, or enterprise
- The name and address of each creditor to whom five thousand dollars (\$5,000) or more was personally owed or obligated by the candidate and still outstanding  
**NOTE:** Loans made by either a financial institution or a person who regularly and customarily extends credit in the ordinary course of business and debts owed to members of the candidate’s family are not required to be disclosed.

- The name and address of each guarantor or co-maker who has guaranteed a debt of the candidate which is still outstanding

**NOTE:** This does not apply to a member of the candidate's family. This includes debt guarantors arising or extended and refinanced after January 1, 1989.

- The source, the date, a reasonable estimate of the fair market value, and a description of each gift exceeding one hundred dollars (\$100) received by the candidate or his or her spouse
- The source, the date, a reasonable estimate of the fair market value, and description of each gift exceeding two hundred and fifty dollars (\$250) received by the candidate's dependent children
- If the person filing the statement of financial interest is an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college, the law requires you to disclose each monetary or other award which you have received in recognition of your contributions to education. The information disclosed with respect to each such award should include the source, date, description, and a reasonable estimate of the fair market value
- Each nongovernmental source of payment exceeding one hundred fifty dollars (\$150) of the candidate's expenses for food, lodging, or travel which bears a relationship to the office when appearing in official capacity with the name and business address of the person or organization paying the expense, and the date and nature of the expenditure
- The name of any business in which the candidate is employed which is under direct regulation or subject to direct control by the governmental body which the candidate serves
- A detailed list of good or services sold in excess of one thousand dollars (\$1,000) annually, the name of the governmental body to whom sold, and the compensation paid for each category of goods or services sold

**NOTE:** When sold by a candidate or any business in which the candidate or his or her spouse is an officer, director, or stockholder owning more than ten percent (10%) of the stock of the company to the governmental body in which the candidate serves or is employed.

## INSTRUCTIONS FOR STATEMENT OF FINANCIAL INTEREST

### INTRODUCTION/WHO MUST FILE

Ark. Code Ann. § 21-8-701(a) requires that the following persons file a written Statement of Financial Interest on an annual basis:

- A public official, as defined by Ark. Code Ann. § 21-8-402(16);
- A candidate for elective office;
- A municipal judge or city attorney, whether elected or appointed;
- Any agency head, department director, or division director of state government;
- Any public appointee to any state board or commission (who possesses regulatory authority or is authorized to receive or disburse state or federal funds);
- All persons who are elected members of a school board or who are candidates for a position on a school board;
- All public and charter school superintendents;
- All directors of educational cooperatives; and
- Any person appointed to a municipal, county or regional (i) planning board or commission, (ii) airport board or commission, (iii) water or sewer board or commission, (iv) utility board or commission, or (v) civil service commission.

The Arkansas Ethics Commission, which enforces this statute, has prepared these instructions, along with the office of the Secretary of State, whose office maintains the records, to assist persons required to file these statements. If you have any questions concerning the reporting requirements or how to fill out your Statement of Financial Interest, call or write either the **Arkansas Ethics Commission**, Post Office Box 1917, Little Rock, Arkansas 72203-1917, tel. (501) 324-9600 or the **Secretary of State, Elections Division**, State Capitol, Room 026, Little Rock, Arkansas 72201, tel. (501) 682-5070.

When preparing the Statement of Financial Interest, please **print or type the information**. You must also sign the Statement in Section 13 and your signature must be attested to before a Notary Public.

### TIME FOR FILING/PERIOD COVERED

Pursuant to Ark. Code Ann. § 21-8-701(c)(1)(A), a Statement of Financial Interest for the previous calendar year "shall be filed by January 31, of each year, except that a candidate for elective office shall file the Statement of Financial Interest within thirty (30) days after the deadline for filing for office." Moreover, an agency head, department director, or division director of state government and any public appointee to a state board or commission authorized or charged by law with the exercise of regulatory authority or authorized to receive or disburse state or federal funds shall file a Statement of Financial Interest for the previous calendar year within thirty (30) days after appointment or employment. Incumbent officeholders who filed a

Statement of Financial Interest for the previous calendar year by January 31 of the year in which an election is held are not required to file an additional Statement of Financial Interest upon becoming a candidate for reelection or election to another office during the year. Ark. Code Ann. § 21-8-701(c)(2). If a person required to file a Statement of Financial Interest leaves his or her office or position during a particular calendar year, he or she shall still be required to file a Statement of Financial Interest covering that part of the year which he or she held the office or position. Ark. Code Ann. § 21-8-701(c)(1)(B).

## **WHERE TO FILE**

Pursuant to Ark. Code Ann. § 21-8-703, the Statement of Financial Interest shall be filed as follows:

- (1) State or district public servants and candidates for state or district public office are required to file the statement with the Secretary of State;
- (2) County, township, or school district public servants and candidates for county, township, or school district public office are required to file the statement with the county clerks;
- (3) Municipal public servants and candidates for municipal office are required to file the statement with the city clerk or recorder;
- (4) Municipal judges and city attorneys are required to file the statement with the city clerk of the municipality within which they serve; and
- (5) Members of regional boards or commissions are required to file the statement with the county clerk of the county in which they reside.

## **SPECIFIC REPORTING INSTRUCTIONS**

### **SECTION 1 (Name and Address)**

Answer each of these questions or indicate "Not Applicable". List all names under which you and/or your spouse do business.

### **SECTION 2 (Reason for Filing)**

Check the box applicable to you and provide the office/position held or name of the board, commission or school district in the appropriate space.

### **SECTION 3 (Sources of Income)**

The term "gross income" is intended to be comprehensive. It refers to all income from whatever source derived, including but not limited to compensation for services, fees, commissions, and income derived from business interests. Report each employer and/or each

other source of income from which you, your spouse, or any other person for the use or benefit of you or your spouse receives gross income exceeding \$1,000 on an annual basis. Include your governmental income from the office or position which requires your filing of this form. You are required to use the gross amount received as income. Thus, you must compute your total income from any particular source without first deducting expenses.

You are not required to list the individual items of gross income that constitute a portion of the income of the business or profession from which you or your spouse derives income. (For example: Accountants, attorneys, farmers, contractors, etc. do not have to list their individual clients.) If more than one source/employer/entity compensated you during the past year, you are required to list each source of income greater than \$1,000. If you or your spouse received speaking honoraria, you must report, under the request for "source", the sponsor of each event for which a payment was made for your speech or appearance, as well as the date and dollar category ("more than \$1,000.00" or "more than \$12,500.00"). The term "honoraria", as used herein, means a payment of money or any thing of value for an appearance, speech, or article. NOTE: Food, lodging, and travel provided to a public servant in connection with an appearance would not constitute honoraria if the public servant is appearing in his or her official capacity and the appearance bears a relationship to the public servant's office or position. Section 10 of the Statement of Financial Interest addresses the reporting of payment for such food, lodging, and travel.

You must also provide a brief description of the nature of the services for which the income was received, as well as the name under which the income was received. For example:

<b>Source</b>	<b>Description</b>	<b>Amount</b>
State of Arkansas (address) John Doe	Executive Dir.	More than \$12,500.00
University of Arkansas (address) John M. Doe	Teaching	More than \$12,500.00
450 Main Street, Little Rock, Arkansas John M. Doe	Rent Income	More than \$12,500.00
Ark. Med. Society Annual Meeting (address) John Doe	Speaking fee Oct. 2, Little Rock	More than \$1,000.00



Star National Bank Star, Arkansas John or Jane Doe	Interest Income	More than \$1,000.00
City of Mayberry (address) Jane Doe	Spouse income	More than \$12,500.00
Ark. Bar Association Annual Meeting (address) Jane Doe	Speaking Fee  Spouse, June 12 Hot Springs	More than \$1,000.00

#### Section 4 (Business or Holdings)

In this section, list the name of every business in which you, your spouse or any other person for the use or benefit of you or your spouse have an investment or holding. Stocks, bonds, stock options and other securities held by you or your spouse must be reported. Figures for these items, as well as all other holdings or accounts, should be based on fair market value at the end of the reporting period.

For **securities, stocks, or bonds**, you must disclose each security held in your portfolio which exceeds the \$1,000.00 threshold. If securities are held through an investment firm, the firm will normally provide periodic statements from which you may obtain the information required to be disclosed. If you own different types of securities issued by the same authority, such as U. S. Treasury obligations or bonds, it is not necessary to provide an itemized list of each security worth over \$1,000.00. Rather, you may simply report the aggregate value of the securities issued by the same authority and identify the type of securities.

In the case of **mutual funds or similar investments**, you need not disclose specific stocks held in a widely diversified investment trust or mutual fund as long as the holdings of the trust or fund are a matter of public record and you have no ability to exercise control over the specific holdings. If you have such control, you must disclose each holding exceeding the threshold level of \$1,000.00, whether or not you exercise the control. Otherwise, you may simply disclose the name, address, etc. of the authority through which your mutual fund is invested (e.g., IDS), the category of the fund and the category of the appropriate amount (e.g., "more than \$1,000.00").

In the case of **bank accounts**, if the total of interest bearing accounts (including certificates of deposit) deposited in a particular bank exceeds \$1,000.00, list each institution holding more than \$1,000.00. If no particular bank holds more than \$1,000.00, you need not report any bank accounts. All accounts at one institution, including those for your spouse, may be combined as one entry. Thus, for example, you may report a checking account, savings account, certificate of deposit, and IRA in Smith First National Bank of Arkansas by checking

the gross total of the accounts (e.g., "more than \$1,000.00") and stating "Smith First National Bank of Arkansas" with its address. You need not list each account. If you are listed on an account purely for custodial reasons, and you do not assert any ownership rights to the assets in the account (for example, if you are a joint tenant with an elderly relative), you need not list the account.

For any business interest, if you or your spouse has an interest in a proprietorship, partnership, or corporation that is actively engaged in a trade or business, you must disclose the name and address of each interest. It is not necessary to provide an itemized list of the assets of the business. For example, you need only categorize the total value of your interest (e.g., "more than \$12,500.00") and not items such as "office equipment." This includes each asset held in trust for you or your spouse which has a value greater than \$1,000.00. Holdings of a trust for which you or your spouse are merely an administrator and for which you have no beneficial interest need not be reported.

### **Section 5 (Office or Directorship)**

You must report your nongovernmental offices and directorships held by you or your spouse in any business, corporation, firm, or enterprise subject to the jurisdiction of a regulatory agency of this State, or any of its political subdivisions. For each such business, provide the name of the business, its address, the office or directorship held and the name of the person (either you or your spouse) who holds the office or directorship. A "regulatory agency", as defined by Ark. Code Ann. § 21-8-301(1), means any "state board, commission, department, or officer authorized by law to make rules or to adjudicate contested cases except those in the legislative or judicial branches."

### **Section 6 (Creditors)**

You must report the name and address of each creditor to whom the value of \$5,000.00 or more is personally owed and outstanding at the end of the reporting period. All information regarding a single creditor may be reported in a single entry. If you have more than one liability owed to the same creditor, add up the items of credit to determine if the \$5,000.00 threshold has been met. The identity of the creditor is the name of the person or organization to which the liability is owed (e.g., "Bob Smith, 1000 Elm Street, Little Rock, Arkansas" or "First Federal Bank of Little Rock, 111 Main, Little Rock, Arkansas").

You do not need to include debts owed to members of your family. You may also exclude loans made in the ordinary course of business by either a financial institution or a person who regularly and customarily extends credit. This exclusion applies to such items as a mortgage secured by real property which is your personal residence, credit extended to purchase personal items such as furniture or appliances, credit card debts, and car loans, provided the credit does not exceed the value of the item purchased.

Debts not incurred in the ordinary course of business include, but are not limited to, such items as legal judgments, judgment liens, money borrowed from individuals, other than family members, who are not normally in the business of lending money, and tax liens owed to any governmental agency.

### **Section 7 (Guarantor, Co-Maker)**

The law requires you to provide the name and address of each guarantor or co-maker, other than a member of your family, who has guaranteed a debt which is still outstanding. The \$5,000.00 threshold of Section 6 does not apply here. To the extent that you have a guarantor or co-maker of any of your outstanding debts, the guarantor or co-maker must be disclosed. There is no exception for debts incurred in the ordinary course of business. This requirement also includes debts arising, extended or refinanced after January 1, 1989.

This requirement extends to situations where you have co-signed a loan to assist another person in obtaining credit, unless the person is a member of your family.

### **Section 8 (Gifts)**

The law requires you to identify the source, date, description, and a reasonable estimate of the fair market value of each gift of more than one hundred dollars (\$100.00) received by you or your spouse during the reporting period or more than two hundred and fifty dollars (\$250.00) received by your dependent children during the reporting period. A gift is any "payment, entertainment, advance, services, or anything of value" unless consideration of equal or greater value has been given therefor. The value of an item shall be considered to be less than one hundred dollars (\$100) if the public servant reimburses the person from whom the item was received any amount over one hundred dollars (\$100) and the reimbursement occurs within ten (10) days from the date the item was received. All types of gifts must be reported. Items such as food, lodging, and travel are considered gifts unless they are received when you are appearing in your official capacity and the appearance bears a relationship to your office or position. [Note: The reporting of food, lodging, and travel received by a public servant who is appearing in his or her official capacity at an event which bears a relationship to his or her office or position is addressed in Section 10 below.]

A gift can be a tangible item, such as a watch, or an intangible item, such as a hunting or fishing trip. A gift does not include (1) informational material; (2) receiving food, lodging, or travel which bears a relationship to the public servant's office and when appearing in an official capacity; (3) gifts which are not used and returned to the donor within 30 days; (4) gifts from a family member listed in Ark. Code Ann. § 21-8-402(5)(B)(iv), unless the family member is acting as an agent for a person not covered by the exception; (5) campaign contributions; (6) devises or inheritances; (7) anything with a value of \$100 or less; (8) wedding presents and engagement gifts; (9) a monetary or other award presented to an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical

institute, a comprehensive life-long learning center, or a community college in recognition of the employee's contribution to education; (10) tickets to charitable fundraising events held within this state by a non-profit organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code; (11) a personalized award, plaque, or trophy with a value of one hundred fifty dollars (\$150) or less; (12) an item which appointed or elected members of a specific governmental body purchase with their own personal funds and present to a fellow member of that governmental body in recognition of public service; (13) food or beverages provided at a conference scheduled event that is part of the program of the conference; (14) food or beverages provided in return for participation in a bona fide panel, seminar, speaking engagement at which the audience is a civic, social, or cultural organization or group; and (15) a monetary or other award publicly presented to an employee of state government in recognition of his or her contributions to the community and State of Arkansas when the presentation is made by the employee's supervisor or peers, individually or through a non-profit organization which is exempt from taxation under Section 501(c) of the Internal Revenue Code, and the employee's receipt of the award would not result in or create the appearance of the employee using his or her position for private gain, giving preferential treatment to any person, or losing independence or impartiality (This exception shall not apply to an award presented to an employee of state government by a person having economic interests which may be affected by the performance or nonperformance of the employee's duties or responsibilities.).

In reporting a gift, you must report the source, the date it was received, a reasonable estimate of its fair market value, and a brief description. In that regard, the Ethics Commission has issued opinions concerning the "fair market value" of such items as transportation on a private aircraft. A group of items received from the same source at the same time would be considered one gift and the separate values should be added together. As an example, if you receive a tie and tie clip (valued \$50.00) along with a pair of golf shoes (valued at \$75) from one donor, this should be reported and described in Section 8, as the receipt of a gift, "tie, tie clip and shoes." The value would be \$125.00. Similarly, food and beverages provided you in connection with lodging should be aggregated to ascertain if the threshold reporting level has been reached. If you are unsure if the value should be aggregated for purposes of reporting, you may wish to contact the Arkansas Ethics Commission for an opinion.

In accordance with Ark. Code Ann. § 21-8-804, certain designated officials are authorized to accept gifts, grants, and donations of money or property on behalf of the State of Arkansas, the Arkansas Senate, the Arkansas House of Representatives, and the Arkansas Supreme Court. In addition, the designated officials are authorized to accept donations of money for the purpose of hosting official swearing-in and inaugural events of the constitutional officers, Senate, House of Representatives, and Supreme Court justices, the official recognition event for the President Pro Tempore, and the official recognition event for the Speaker of the House. The public official accepting the gift, grant, or donation of money or property on behalf of an appropriate entity is not required to disclose same on his or her Statement of Financial Interest. Instead, public servants are required to report such gifts, grants, or donations of money or property to the Ethics Commission on a quarterly basis on a separate disclosure form prepared for such purposes.

## **Section 9 (Awards)**

If you are an employee of a public school district, the Arkansas School for the Blind, the

Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college, the law requires you to disclose each monetary or other award which you have received in recognition of your contributions to education. The information disclosed with respect to each such award should include the source, date, description, and a reasonable estimate of the fair market value.

## **Section 10 (Nongovernmental Sources of Payment)**

Payments for food, lodging, or travel are not considered a gift in situations where a public servant is appearing in his or her official capacity and the appearance bears a relationship to the public servant's office or position. However, Section 10 requires that each nongovernmental source of payment of expenses for such food, lodging, or travel be listed when the expenses paid by that source exceed \$150.00. [Note: The reporting of money or things of value received when you are not appearing in an official capacity or the appearance does not bear a relationship to your office or position is addressed in Section 3 ("Sources of Income") or Section 8 ("Gifts).] In this regard, you must list the name and business address of the person or organization which has paid your expenses, the date and nature of the expenses unless such person or organization was compensated by the governmental body for which the public servant serves. Thus, you must disclose in this section, lodging or travel received in connection with such activities as speaking engagements, conferences, or fact finding events related to your official duties.

Section 10 requires the disclosure of each nongovernmental source of payment when the expenses paid in connection with a particular appearance exceed \$150.00. Thus, if one source provides lodging and food and the total amount paid exceeds \$150.00, that source must be reported in this section. You do not need to itemize the dollar value or provide an itemized accounting of the expenses provided. Also, as an example, you do not need to indicate whether the travel was on private or commercial carrier. You only need to provide the name of the organization providing the travel, its address, the date of the travel and the nature of the expenses, i.e. "travel to conference along with lodging."

The **organization** is the source of payment. It should be the name of the sponsor actually paying or providing the expenses. The **date of expenses** should be the inclusive dates of all travel provided. If the travel all occurred on one day, report that day. Otherwise, list the starting and ending dates of each trip provided (i.e., "May 1 - 5, 1997").

It is permissible to extend the duration of a trip at your own expense, accepting return travel from the sponsor. However, to avoid suggesting that travel was accepted for a longer period of time than was actually the case, you should indicate any time not spent at the sponsor's expense on either the line requesting the "date" or "nature" of expenses. For example, using the

dates listed above, you could report "May 1 - 5, 1997. May 3 - 4 on personal business, expenses paid by me."

### **Section 11 (Direct Regulation of Business)**

The law requires you to list any business by whom you are employed if the business is under direct regulation or subject to direct control by the governmental body which you serve. You must report the employment by listing the name of this business/employer and provide the governmental body which regulates or controls aspects of the business. Such a business relationship typically exists if your private employer is subject to any rules or regulations of a governmental body or if a governmental body adjudicates contested cases of fact involving your private employer. For example, if you work as a licensed dentist, the appropriate regulatory governing body may be the State Board of Dental Examiners.

Whether your business is under direct regulation or subject to direct control by a governing body is often a question of fact. If you are unsure, you should contact the Arkansas Ethics Commission or, if you know, the agency you suspect may regulate part or all of your activities.

### **Section 12 (Sales to Governmental Body)**

The law requires you to report certain business relationships with the government if a significant sale of goods or services occurs. Specifically, you must set out in detail the goods or services sold having a total annual value in excess of \$1,000.00 sold to the governmental body for which you serve or are employed and the compensation paid for each category of goods or services by you or any business in which you or your spouse is an officer, director, stockholder owning more than ten percent (10%) of the stock, owner, trustee, or partner.

### **Section 13 (Signature)**

Under the law, each person, required to file a Statement of Financial Interest must prepare the statement under penalty of false swearing and sign such form attesting to the truth and accuracy of the information set forth on the form. Ark. Code Ann. § 21-8-702. If a person who is required to file a Statement of Financial Interest is called to active duty in the armed forces of the United States, the statement may be completed by the spouse of the person. If the Statement of Financial Interest is completed by the spouse, under this exception, the spouse's signature shall be sufficient for the requirement of Ark. Code Ann. § 21-8-702.

REVISED 06/01

# STATEMENT OF FINANCIAL INTEREST

State/District officials file with:  
Charlie Daniels, Secretary of State  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

Calendar year covered \_\_\_\_\_  
(Note: Filing covers the previous calendar year)

Is this an amendment? ☐ Yes ☐ No

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203  
Phone (501) 324-9600  
Toll Free (800) 422-7773

Please provide complete information. If the information requested in a particular section does not apply to you, indicate such by noting **“Not Applicable”** in that section. Do not leave any part of this form blank. If additional space is needed, you may attach the information to this document.

## SECTION 1- NAME AND ADDRESS

Name \_\_\_\_\_  
(Last) (First) (Middle)  
Address \_\_\_\_\_  
(Street or P.O. Box Number) (City) (State) (Zip Code)  
Phone \_\_\_\_\_  
Spouse's name \_\_\_\_\_  
(Last) (First) (Middle)  
All names under which you and/or your spouse do business:  
\_\_\_\_\_  
\_\_\_\_\_

## SECTION 2- REASON FOR FILING

- ☐ Public Official \_\_\_\_\_  
(office held)
- ☐ Candidate \_\_\_\_\_  
(office sought)
- ☐ Municipal Judge \_\_\_\_\_  
(name of municipality)
- ☐ City Attorney \_\_\_\_\_  
(name of city)
- ☐ State Government: Agency Head/Department Director/Division Director \_\_\_\_\_  
(name of agency/department/division)
- ☐ Public appointee to State Board or Commission \_\_\_\_\_  
(name of board/commission)
- ☐ School Board member \_\_\_\_\_  
(name of school district)
- ☐ Candidate for school board \_\_\_\_\_  
(name of school district)
- ☐ Public or Charter School Superintendent \_\_\_\_\_  
(name of school district/school)
- ☐ Director of Educational Cooperative \_\_\_\_\_  
(name of cooperative)
- ☐ Appointee to one of the following municipal, county or regional boards or commissions (list name of board or commission):
- ☐ Planning board or commission \_\_\_\_\_
- ☐ Airport board or commission \_\_\_\_\_
- ☐ Water or Sewer board or commission \_\_\_\_\_
- ☐ Utility board or commission \_\_\_\_\_
- ☐ Civil Service commission \_\_\_\_\_

### **SECTION 3- SOURCE OF INCOME**

List each employer and/or each other source of income from which you, your spouse, or any other person for the use or benefit of you or your spouse receives gross income amounting to more than \$1,000. (You are not required to disclose the individual items of income that constitute a portion of the gross income of the business or profession from which you or you spouse derives income. For example: accountants, attorneys, farmers, contractors, etc. do not have to list their individual clients.) If you receive gross income exceeding \$1,000 from at least one source, the answer N/A is not correct.

a) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

\_\_\_\_\_  
(name of employer or source of income)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(name under which income received)

Provide a brief description of the nature of the services for which the compensation was received \_\_\_\_\_

b) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

\_\_\_\_\_  
(name of employer or source of income)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(name under which income received)

Provide a brief description of the nature of the services for which the compensation was received \_\_\_\_\_

c) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

\_\_\_\_\_  
(name of employer or source of income)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(name under which income received)

Provide a brief description of the nature of the services for which the compensation was received \_\_\_\_\_

d) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

\_\_\_\_\_  
(name of employer or source of income)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(name under which income received)

Provide a brief description of the nature of the services for which the compensation was received \_\_\_\_\_



#### **SECTION 4- BUSINESS OR HOLDINGS**

List the name of every business in which you, your spouse or any other person for the use or benefit of you or your spouse have an investment or holding. Individual stock holdings should be disclosed. Figures should be based on fair market value at the end of the reporting period.

- a) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

- b) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

- c) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

- d) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

- e) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

- f) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

## **SECTION 5- OFFICE OR DIRECTORSHIP**

List every office or directorship held by you or your spouse in any business, corporation, firm, or enterprise subject to jurisdiction of a regulatory agency of this State, or of any of its political subdivisions.

- a) \_\_\_\_\_  
(name of business, corporation, firm, or enterprise)  
\_\_\_\_\_  
(address)  
\_\_\_\_\_  
(office or directorship held)  
\_\_\_\_\_  
(name of office holder)
- b) \_\_\_\_\_  
(name of business, corporation, firm, or enterprise)  
\_\_\_\_\_  
(address)  
\_\_\_\_\_  
(office or directorship held)  
\_\_\_\_\_  
(name of office holder)

## **SECTION 6- CREDITORS**

List each creditor to whom the value of five thousand dollars (\$5,000) or more was personally owed or personally obligated and is still outstanding. (This does not include debts owed to members of your family or loans made in the ordinary course of business by either a financial institution or a person who regularly and customarily extends credit.)

- a) \_\_\_\_\_  
(name of creditor)  
\_\_\_\_\_  
(address of creditor)
- b) \_\_\_\_\_  
(name of creditor)  
\_\_\_\_\_  
(address of creditor)
- c) \_\_\_\_\_  
(name of creditor)  
\_\_\_\_\_  
(address of creditor)

## **SECTION 7- GUARANTOR OR CO-MAKER**

List each guarantor or co-maker who has guaranteed a debt of yours that is still outstanding. (This includes debt guarantors arising or extended and refinanced after Jan. 1, 1989. Members of your family who are your guarantors are not required to be disclosed.)

- a) \_\_\_\_\_  
(name)  
\_\_\_\_\_  
(address)
- b) \_\_\_\_\_  
(name)  
\_\_\_\_\_  
(address)

## **SECTION 8- GIFTS**

List the source, date, description, and a reasonable estimate of the fair market value of each gift of more than \$100 received by you or your spouse and of each gift of more than \$250 received by your dependent children. The term “gift” is defined as “any payment, entertainment, advance, services, or anything of value unless consideration of equal or greater value has been given therefor.” There are a number of exceptions to the definition of “gift.” Those exceptions are set forth in the Instructions for Statement of Financial Interest prepared for use with this form. (Note: The value of an item shall be considered to be less than \$100 if the public servant reimburses the person from whom the item was received any amount over \$100 and the reimbursement occurs within ten (10) days from the date the item was received.)

a)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
b)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
c)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
d)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
e)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
f)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	
g)		
	(description of gift)	
	(date)	(fair market value)
	(source of gift)	

## **SECTION 9- AWARDS**

If you are an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college, the law requires you to disclose each monetary or other award which you have received in recognition of your contributions to education. The information disclosed with respect to each such award should include the source, date, description, and a reasonable estimate of the fair market value.

a)	_____		
	(description of award)		
	_____	_____	_____
	(date)		(fair market value)
	_____		
	(source of award)		
b)	_____		
	(description of award)		
	_____	_____	_____
	(date)		(fair market value)
	_____		
	(source of award)		
c)	_____		
	(description of award)		
	_____	_____	_____
	(date)		(fair market value)
	_____		
	(source of award)		
d)	_____		
	(description of award)		
	_____	_____	_____
	(date)		(fair market value)
	_____		
	(source of award)		

## **SECTION 10- NONGOVERNMENTAL SOURCES OF PAYMENT**

List each nongovernmental source of payment of your expenses for food, lodging, or travel which bears a relationship to your office when you appear in your official capacity when the expenses incurred exceed \$150.

a)	_____		
	(name of person or organization paying expense)		
	_____		
	(business address)		
	_____		
	(date of expense)		
	_____		
	(nature of expenditure)		
b)	_____		
	(name of person or organization paying expense)		
	_____		
	(address)		
	_____		
	(date of expense)		
	_____		
	(nature of expenditure)		

## **SECTION 11- DIRECT REGULATION OF BUSINESS**

List any business which employs you and is under direct regulation or subject to direct control by the governmental body which you serve.

- a) \_\_\_\_\_  
(name of business)  
\_\_\_\_\_  
(governmental body which regulates or controls)
- b) \_\_\_\_\_  
(name of business)  
\_\_\_\_\_  
(governmental body which regulates or controls)
- c) \_\_\_\_\_  
(name of business)  
\_\_\_\_\_  
(governmental body which regulates or controls)
- d) \_\_\_\_\_  
(name of business)  
\_\_\_\_\_  
(governmental body which regulates or controls)

## **SECTION 12- SALES TO GOVERNMENTAL BODY**

List the goods or services sold to the governmental body for which you serve which have a total annual value in excess of \$1,000. List the compensation paid for each category of goods or services sold by you or any business in which you or your spouse is an officer, director, or stockholder owning more than 10% of the stock of the company.

- a) \_\_\_\_\_  
(goods or services)  
\_\_\_\_\_  
(governmental body to whom sold)  
\_\_\_\_\_  
(compensation paid)
- b) \_\_\_\_\_  
(goods or services)  
\_\_\_\_\_  
(governmental body to whom sold)  
\_\_\_\_\_  
(compensation paid)
- c) \_\_\_\_\_  
(goods or services)  
\_\_\_\_\_  
(governmental body to whom sold)  
\_\_\_\_\_  
(compensation paid)
- d) \_\_\_\_\_  
(goods or services)  
\_\_\_\_\_  
(governmental body to whom sold)  
\_\_\_\_\_  
(compensation paid)

### **SECTION 13- SIGNATURE**

I certify under penalty of false swearing that the above information is true and correct.

\_\_\_\_\_  
Signature

STATE OF ARKANSAS

} ss

COUNTY OF \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Legible Notary Seal)

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days pursuant to Ark. Code Ann. § 21-8-703(b)(3).

### **IMPORTANT**

#### **Where to file:**

State or district candidates and public servants file with the Secretary of State.  
County, township, and school district candidates and public servants file with the county clerk.  
Municipal candidates and public servants file with the city clerk or recorder, as the case may be.  
Municipal judges and city attorneys file with the city clerk of the municipality in which they serve.  
Members of regional boards or commissions file with the county clerk of the county in which they reside.

#### **General Information:**

- \* The Statement of Financial Interest should be filed by January 31 of each year.
- \* The filing covers the previous calendar year.
- \* Candidates for elective office shall file the Statement of Financial Interest for the previous calendar year within thirty (30) days after the deadline for filing for office unless already filed by January 31.
- \* Agency heads, department directors, and division directors of state government shall file the Statement of Financial Interest within thirty (30) days of appointment or employment unless already filed by January 31.
- \* Appointees to state boards or commissions shall file the Statement of Financial Interest within thirty (30) days after appointment unless already filed by January 31.
- \* If a person is included in any category listed above for any part of a calendar year, that person shall file a Statement of Financial Interest covering that period of time regardless of whether they have left their office or position as of the date the statement is due.

## **EXPLORATORY COMMITTEE REGISTRATION**

**The “Exploratory Committee Registration” form shall disclose:**

- The name, address, and, where available, phone number of the committee and each of its officers
- The name, address, and telephone number of the person who is intended to receive the campaign contributions from the committee, along with the office sought
- Certification that the information provided is true and correct

# EXPLORATORY COMMITTEE REGISTRATION FORM

To be filed with:  
**Charlie Daniels, Secretary of State**  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

1. Name of Committee: \_\_\_\_\_

Date: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

(Secretary of State File Stamp)

2. Provide the name, address, and telephone number for each officer:

a.

Name	Title	Telephone Number
Address	City	State
		Zip Code

b.

Name	Title	Telephone Number
Address	City	State
		Zip Code

c.

Name	Title	Telephone Number
Address	City	State
		Zip Code

d.

Name	Title	Telephone Number
Address	City	State
		Zip Code

3. Provide the name of the individual person who, upon becoming a candidate, is intended to receive campaign contributions from the committee:

Name of Candidate	Public Office Sought	Telephone Number
Address	City	State
		Zip Code

An exploratory committee is required to register with the Secretary of State within fifteen (15) days after receiving contributions during a calendar year which, in the aggregate, exceed five hundred dollars (\$500).

## -Affidavit-

I certify under oath that the information set forth herein is true and correct.

\_\_\_\_\_  
Signature of Committee Officer

\_\_\_\_\_  
Office Held

State of Arkansas )  
                                  )  
County of            )

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

My commission expires: \_\_\_\_\_

Form Approved by the Arkansas Ethics Commission



## **EXPLORATORY COMMITTEE CONTRIBUTION AND EXPENDITURE REPORT**

**The “Exploratory Committee Contribution Report” shall indicate:**

- The name and address of each person who contributed over fifty dollars (\$50)
- The contributor’s employer, principal place of business, occupation, the amount of each contribution for the filing period, and the aggregate amount contributed for the election
- An itemized list of each non-money (“in-kind”) contribution over fifty dollars (\$50), excluding volunteer services, with a description, the date of receipt, and the value of each contribution, the name and address of each person, including the candidate, making the in-kind contribution, the cumulative total from each contributor, and the total of all itemized non-money contributions over fifty dollars (\$50) received during the reporting period
- The total amount of contributions received during the filing period
- For each single expenditure which exceeds one hundred dollars (\$100), the amount of the expenditure, the name and address of the person to whom the expenditure was made, and the date the expenditure was made

# EXPLORATORY COMMITTEE CONTRIBUTION AND EXPENDITURE REPORT

To be filed with:  
**Charlie Daniels, Secretary of State**  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

☐ Check if this report is an amendment

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

(Secretary of State File Stamp)

1. Name of Committee: \_\_\_\_\_

Date: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

2. Type of Report: (check one only)

This report covers what period? (\_\_\_/\_\_\_/\_\_\_) through (\_\_\_/\_\_\_/\_\_\_)

- ☐ January Monthly (due March 2<sup>nd</sup>) ☐ May Monthly (due June 30<sup>th</sup>) ☐ September Monthly (due Oct 30<sup>th</sup>)  
☐ February Monthly (due March 30<sup>th</sup>) ☐ June Monthly (due July 30<sup>th</sup>) ☐ October Monthly (due Nov 30<sup>th</sup>)  
☐ March Monthly (due April 30<sup>th</sup>) ☐ July Monthly (due August 30<sup>th</sup>) ☐ November Monthly (due December 30<sup>th</sup>)  
☐ April Monthly (due May 30<sup>th</sup>) ☐ August Monthly (due Sept 30<sup>th</sup>) ☐ December Monthly (due January 30<sup>th</sup>)  
☐ FINAL REPORT\*

\* A FINAL REPORT must be filed within thirty (30) days after the end of the month in which the committee either transfers its contributions to a candidate's campaign or no longer accepts contributions.

SUMMARY	FOR REPORTING PERIOD	CUMULATIVE TOTAL
3. Balance of Committee's Funds at Beginning of Reporting Period		
4. Interest (if any) Earned on Committee's Account		
5. Total Contributions (enter total from line 18)		
6. Total Expenditures (enter total from line 22)		
7. Balance of Committee's Funds at Close of Reporting Period		
8. ( ) NO ACTIVITY (check if the committee has not received or spent money this reporting period)		

I certify to the best of my knowledge and belief that the information disclosed in this report is a complete, true, and accurate financial statement of the committee's contributions and expenditures.

\_\_\_\_\_  
Signature of Committee's Representative

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_, County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Legible Notary Seal)

Notary Signature \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days.**

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of A.C.A. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

## 11. NONMONEY CONTRIBUTIONS

Itemize if Fair Market Value Exceeds \$50  
(Does not include volunteer services by individuals)

Date of receipt	Full Name and Address of Contributor	Description of nonmoney item	Value of nonmoney item	Cumulative Total From This Contributor
12. TOTAL ITEMIZED NONMONEY CONTRIBUTIONS				
13. TOTAL NONITEMIZED NONMONEY CONTRIBUTIONS				
14. TOTAL NONMONEY CONTRIBUTIONS				

### **IMPORTANT**

In addition to monetary contributions, committees are required to report the receipt of any nonmonetary ("in-kind") contributions. A committee receives an in-kind contribution whenever a person provides it with an item or service without charge or for a charge which is less than the fair market value of the item or service in question. The value of an in-kind contribution is the difference between the fair market value and the amount charged.

## 15. ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

(Use Additional Copies Of This Page If Necessary)

Date	Full Name And Mailing Address Of Contributor	Place Of Business/ Employer/Occupation	Amount Of Contribution	Cumulative Total From This Contributor
Subtotal of Contributions This Page				

# ITEMIZED MONETARY CONTRIBUTIONS OVER \$50

Please Type or Print

Date	Full Name And Mailing Address Of Contributor	Place Of Business/ Employer/Occupation	Amount Of Contribution	Cumulative Total From This Contributor
<b>16. TOTAL ITEMIZED MONETARY CONTRIBUTIONS OVER \$50</b>				
<b>17. TOTAL NONITEMIZED MONETARY CONTRIBUTIONS</b>				
<b>18. TOTAL CONTRIBUTIONS THIS REPORT</b> (includes totals from lines 16 and 17)				

## 19. ITEMIZED EXPENDITURES OVER \$100

Please Type or Print  
(Use additional copies of this page if necessary)

[illegible]

## **INSTRUCTIONS FOR COMPLETING THE CARRYOVER FUND REPORTING FORM**

**Section 1** – Provide the general information sought, including the name, address, and telephone number of the officeholder or candidate filing the report and the public office for which he or she sought election. In addition, the year of the election should be indicated at the top of the report. Also, if an amended report is being filed, the appropriate box at the top of the report should be checked. The law requires that the report be signed under penalty of perjury. The place for the notarized signature is at the bottom of the front page of the report.

**Section 2** – Check the box for the type of report. If the report is an annual report, provide the year.

**Line 3** – This line, along with lines 4-6, contains SUMMARY information concerning the person's carryover funds during the reporting period and cumulatively for the year. Line 3 reflects the balance of carryover funds as of the beginning of the reporting period which should be the same as the ending balance of the previous report (found on line 6 of the last report).

**Line 4** – This line reflects the amount of interest, if any, earned by the carryover fund account. In the first column ("For Reporting Period"), list the amount of interest earned since the last report. In the second column ("Year to Date"), list the cumulative total of all interest earned during the calendar year.

**Line 5** – This line reflects the total amount of carryover funds which have been expended. In the first column ("For Reporting Period"), list the amount of expenditures, itemized and nonitemized, made since the last report. This figure can be found on line 10 and should be entered on line 5. In the second column ("Year to Date"), list the total amount of all expenditures made during the calendar year, which should be calculated by adding the figure reported in the first column to the figure reported in the second column of the last report.

**Line 6** – This line should reflect the balance of carryover funds at the close of the reporting period. This figure can be calculated by adding the amounts on lines 3 and 4 and subtracting from that total the figure entered on line 5.

**Section 7** – This section requires disclosure of each expenditure in excess of \$100 which has been made since the last report. For each expenditure over \$100, provide the name and address of the supplier or payee, the date of the expenditure, the amount of the expenditure, and a description of the expenditure.

**Line 8** – This line should reflect the total of the itemized expenditures listed in section 7.

**Line 9** – Disclose the total amount of expenditures of \$100 or less made since the last report. An expenditure of \$100 or less need not be itemized, but must be included in the total amount of expenditures made since the last report.

**Line 10** – This line reflects the sum of the amounts entered on lines 8 (“Itemized Expenditures”) and 9 (“Nonitemized Expenditures”). This figure should be the same as the one entered on line 5 on the front page of the report.

## FREQUENTLY ASKED QUESTIONS

### Question No. 1: *What are carryover funds?*

- A person who was a candidate and has campaign funds remaining from an election that has ended may retain as “carryover funds” an amount not exceeding the annual salary, excluding expense allowances, set by Arkansas law for the office sought.<sup>1</sup>
- The use of carryover funds is only available for those candidates or officeholders who ended their campaigns with funds remaining. Candidates or officeholders who end their campaigns either with no carryover funds or in debt may not use or raise campaign funds for or through general political activity or travel.<sup>2</sup>

### Question No. 2: *Where are carryover funds kept?*

- If carryover funds are retained, a candidate must establish an office account, separate from any personal or other account. Any carryover funds transferred to this account shall be used only for future campaigns involving the candidate in a non-federal office and/or legitimate expenses in connection with the candidate’s public office.<sup>3</sup>
- Carryover funds may be deposited in an interest-bearing account. At no time, however, may the total amount in the carryover account exceed the annual salary, excluding expense allowances, for the office sought or held.<sup>4</sup>

### Question No. 3: *What are the permissible uses for carryover funds?*

- Generally, officeholders are free to expend carryover funds on any purpose designed to further their office as long as it is not for personal income or otherwise prohibited by law.<sup>5</sup>

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<sup>1</sup> Ark. Code Ann. § 7-6-201(3).

<sup>2</sup> § 215(c) of the Commission’s Rules on Campaign Finance & Disclosure.

<sup>3</sup> § 227(b) of the Commission’s Rules on Campaign Finance & Disclosure.

<sup>4</sup> § 227(d) of the Commission’s Rules on Campaign Finance & Disclosure.

<sup>5</sup> § 223(a) of the Commission’s Rules on Campaign Finance & Disclosure.



- Legitimate office expenses include transportation incurred by the officeholder or a member of his or her staff incurred in the operation of the office.<sup>6</sup>
- Carryover funds may be used to purchase office supplies and/or equipment for use in the office or in future campaigns.<sup>7</sup>
- Carryover funds may be used to reimburse the officeholder or his or her staff for meals or lodging in connection with the operation of the office or future campaigns.<sup>8</sup>
- Carryover funds may be used to purchase invitations or notices to political events, as well as to purchase gifts or commemorative items for staff members or their families in times of sickness or death, or family emergency.<sup>9</sup>
- Carryover funds may be used to offset any reasonable and legitimate office expense which is otherwise not reimbursable from public funding.<sup>10</sup>
- Officeholders may use carryover funds to purchase advertisements in publications of charitable, civic and educational organizations.<sup>11</sup>
- Carryover funds may be used to buy items such as ads in school yearbooks as these purchases serve to increase public visibility for the officeholders.<sup>12</sup>
- Carryover funds may be used to purchase items given as awards in recognition of accomplishments where they are presented by a current officeholder in person. Such items include the purchase of American and State flags flown at the State Capitol and given to schools in subsequent ceremonies.<sup>13</sup>
- Officeholders may use carryover funds to purchase tickets from charities, civic organizations and political parties for banquets or other similar special social events. The presence of officeholders increases the public visibility of officeholders and, for that reason, officeholders who purchase tickets should make all reasonable efforts to attend the banquet. Officeholders may use carryover funds to purchase a ticket for a spouse but carryover funds should not be used to purchase tickets for State Capitol staff, current staff or former campaign workers.<sup>14</sup>

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<sup>6</sup> § 227(c) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>7</sup> § 227(c) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>8</sup> § 227(c) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>9</sup> § 227(c) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>10</sup> § 227(c) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>11</sup> § 220(a) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>12</sup> § 220(a) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>13</sup> § 220(b) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>14</sup> § 221(b) of the Commission's Rules on Campaign Finance & Disclosure.

- Officeholders may use carryover funds for lease, rental or use charges of any ordinary and necessary office equipment such as copy machines, telephones, postage meters, facsimile machines, computer hardware and software, printers and video equipment for use in the office or in future campaigns.<sup>15</sup>
- Carryover funds may be used by an officeholder to pay for an inaugural event.<sup>16</sup>
- Examples of other miscellaneous expenses on which officeholders may lawfully expend carryover funds include, but are not limited to:
  - (a) Flowers, sympathy gifts or other nominal memorial items to a constituent's funeral or family;
  - (b) Hiring public halls and music for political meetings, furnishing music, uniforms, banners or fireworks for political clubs or parades or like events and for related advertising of same;
  - (c) Printing and circulating political communications, sample ballots or ballot labels; and
  - (d) Sponsorship of a sports team.<sup>17</sup>
- A person with carryover funds may, at any time, dispose of such funds in the same manner as surplus campaign funds.<sup>18</sup> In that regard, Ark. Code Ann. § 7-6-203(h)(1) provides that surplus funds may be turned over to either:
  - (a) The Treasurer of State for the benefit of the General Revenue Fund Account of the State Apportionment Fund;
  - (b) An organized political party as defined in Ark. Code Ann. § 7-1-101(16) or a political party caucus of the General Assembly, the Senate, or House of Representatives;
  - (c) A nonprofit organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code; or
  - (d) The contributors to the candidate's campaign.

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<sup>15</sup> § 222(a) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>16</sup> Advisory Opinion No. 98-EC-020.

<sup>17</sup> § 223(a) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>18</sup> § 227(a) of the Commission's Rules on Campaign Finance & Disclosure.

**Question No. 4: *What are the prohibited uses of carryover funds?***

- A candidate may not take carryover funds as personal income or as income for his or her spouse or dependent children.<sup>19</sup>
- Carryover funds may not be used to reimburse campaign workers, staff or spouses of either the candidate or the workers for attendance at conferences. Officeholders are permitted to use carryover funds to reimburse only themselves for travel associated with general political activity.<sup>20</sup>
- Carryover funds may not be used to purchase tickets for State Capitol staff, current staff or former campaign workers to attend banquets or social events held by charities, civic organizations or political parties.<sup>21</sup>

**Question No. 5: *How long may carryover funds be retained?***

- Carryover funds may be retained by a person for not more than ten (10) years after the last election at which he or she was a candidate and any remaining carryover funds shall be disposed of in the same manner as for surplus campaign funds.<sup>22</sup>
- When a person having carryover funds from an election held after July 1, 1997, files as a candidate for public office, his or her carryover funds shall be transferred to the person's active campaign fund. Once transferred, the funds will no longer be treated as carryover funds.<sup>23</sup>

**Question No. 6: *What are the record keeping and reporting requirements concerning carryover funds?***

- If a candidate ends a campaign with carryover funds, he or she must maintain records of such carryover fund for no less than ten (10) years or until such time as the funds are expended completely or disposed of, whichever occurs first.<sup>24</sup>
- A person shall file an expenditure report concerning carryover funds if since the last report concerning the carryover funds, the person has expended in excess of five hundred dollars (\$500). The report shall be filed not later than fifteen (15) days after a calendar quarter in which a report becomes required. No report is

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<sup>19</sup> Ark. Code Ann. § 7-6-203(h)(3)(A).

<sup>20</sup> § 215(a) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>21</sup> § 221(b) of the Commission's Rules on Campaign Finance & Disclosure.

<sup>22</sup> Ark. Code Ann. § 7-6-203(h)(3)(D).

<sup>23</sup> Ark. Code Ann. § 7-6-203(h)(3)(B).

<sup>24</sup> § 233(c) of the Commission's Rules on Campaign Finance & Disclosure.

required in any calendar quarter in which the cumulative expenditure limit has not been exceeded since the person's last report.<sup>25</sup>

- A person who retains carryover funds is required to file an annual report outlining the status of the carryover fund account as of December 31<sup>st</sup> unless the person has made a quarterly report during the calendar year pursuant to Ark. Code Ann. § 7-6-203(h)(3)(C)(i) and (ii). The annual report for a particular year shall be due by January 31<sup>st</sup> of the following year.<sup>26</sup> The carryover fund reports of a person who ran for school district, township, municipal, or county office must be filed with the **county clerk** of the county in which the election was held.<sup>27</sup> The carryover fund reports of a candidate for state or district office must be filed with the **Secretary of State**.<sup>28</sup>
- A person shall also file an expenditure report for the calendar quarter in which he or she transfers the carryover funds to an active campaign fund.<sup>29</sup>

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<sup>25</sup> Ark. Code Ann. § 7-6-203(h)(3)(C)(i).

<sup>26</sup> Ark. Code Ann. § 7-6-203(h)(3)(C)(iii).

<sup>27</sup> Ark. Code Ann. § 7-6-203(h)(3)(C)(iv).

<sup>28</sup> Ark. Code Ann. § 7-6-203(h)(3)(C)(v).

<sup>29</sup> Ark. Code Ann. § 7-6-203(h)(3)(C)(ii).

# CARRYOVER FUND REPORTING FORM

Year of Election: \_\_\_\_\_

NOTE: The carryover fund reports of a person who ran for school district, township, municipal, or county office are required to be filed with the **county clerk** of the county in which the election was held. The carryover fund reports of a person who ran for state or district office are required to be filed with:

Charlie Daniels, Secretary of State  
State Capitol, Room 026  
Little Rock, AR 72201  
Phone (501) 682-5070  
Fax (501) 682-3408

For assistance in completing this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

☐ Check if this report is an amendment

Officeholder/Candidate Information	(file stamp)	
1. Name of Officeholder/Candidate		
Address		
City, State, and Zip		
Phone Number		
Office	District Number	
2. Type of Report: (check only one)      This report covers what period? (___/___/___) through (___/___/___)		
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> <b>First Quarter</b> (due April 15)  <input type="checkbox"/> <b>Second Quarter</b> (due July 15)  <input type="checkbox"/> <b>Third Quarter</b> (due October 15)                         </div> <div> <input type="checkbox"/> <b>Fourth Quarter</b> (due January 15)  <input type="checkbox"/> <b>Annual Report for Calendar Year</b> _____ (due January 31)                         </div> </div> <p>A quarterly report is due if you have expended in excess of \$500 since your last report concerning carryover funds. No report is required in any calendar quarter in which you have not exceeded the cumulative expenditure limit of \$500 since your last report. An annual report is not required if you have filed at least one quarterly report during the calendar year. A person is required to file a report for the calendar quarter in which he or she transfers carryover funds to his or her active campaign fund.</p>		

SUMMARY	FOR REPORTING PERIOD	YEAR-TO-DATE
3. Balance of carryover funds at beginning of reporting period		
4. Interest (if any) earned on carryover account		
5. Total expenditures (enter amount from line 10)		
6. Balance of carryover funds at close of reporting period		

I certify that I have examined this Report, and that to the best of my knowledge and belief it is true, correct, and complete.

\_\_\_\_\_  
Signature of Officeholder/Candidate

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_ County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary

**Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days.**

The law provides for a maximum penalty of \$1,000 per violation and/or imprisonment for not more than one year for any person who knowingly or willfully fails to comply with the provisions of Ark. Code Ann. § 7-6-201 through § 7-6-225. This report constitutes a public record. This form has been approved by the Arkansas Ethics Commission.

## 7. ITEMIZED EXPENDITURES OVER \$100

*Please Type or Print*  
*(Use copies of this page as needed)*

Name and Address of Supplier/Payee	Description of Expenditure	Date	Amount of Expenditure
<b>8. TOTAL ITEMIZED EXPENDITURES</b>			
<b>9. TOTAL NONITEMIZED EXPENDITURES</b>			
<b>10. TOTAL EXPENDITURES (includes lines 8 and 9)</b>			

## INDEPENDENT EXPENDITURE COMMITTEE REGISTRATION FORM

**To be filed with:**  
**Charlie Daniels, Secretary of State**  
**State Capitol, Room 026**  
**Little Rock, AR 72201**  
**Phone (501) 682-5070**  
**Fax (501) 682-3408**

For assistance in completing  
this form contact:  
Arkansas Ethics Commission  
Post Office Box 1917  
Little Rock, AR 72203-1917  
Phone (501) 324-9600  
Toll Free (800) 422-7773

***Please Type or Print***

Name of committee, individual, or other entity receiving contributions in order to make independent expenditures:	
Acronym (if applicable)	
Address:	
City, State and Zip	Telephone Number:

Name of officer:
Address:
Phone Number:
Employer:
Name of officer:
Address:
Phone Number:
Employer:
Name of officer:
Address:
Phone Number:
Employer:
Name of officer:
Address:
Phone Number:
Employer:
Name of officer:
Address:
Phone Number:
Employer:

I certify under oath that, to the best of my knowledge and belief, the above information is complete, true, and accurate. In addition, I certify that I have and shall maintain for a period of four (4) years the name, address, and place of employment of each person who contributed to the committee, along with the amount contributed.

\_\_\_\_\_  
(Signature of Committee Officer)

Sworn to and subscribed before me, a Notary Public, in and for \_\_\_\_\_ County, Arkansas, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
(Notary Signature)





**6. INFORMATION CONCERNING PERSON OR COMMITTEE  
MAKING INDEPENDENT EXPENDITURES**

IF FILING AS AN INDEPENDENT EXPENDITURE COMMITTEE, PROVIDE THE  
FOLLOWING INFORMATION FOR EACH OF THE COMMITTEE'S OFFICERS

Name of officer:
Address:
Employer:
Occupation:
Name of officer:
Address:
Employer:
Occupation:
Name of officer:
Address:
Employer:
Occupation:

IF FILING AS AN INDIVIDUAL, PROVIDE THE FOLLOWING INFORMATION

Principal Place of Business:
Employer:
Occupation:

IF FILING AS AN ENTITY OTHER THAN AN INDIVIDUAL OR INDEPENDENT  
EXPENDITURE COMMITTEE, PROVIDE THE FOLLOWING INFORMATION  
WITH RESPECT TO THE ENTITY AND ITS OFFICERS

Name of Entity:
Address:
Name of Officer:
Address:
Employer:
Occupation:
Name of Officer:
Address:
Employer:
Occupation:
Name of Officer:
Address:
Employer:
Occupation:

**7. ITEMIZED MONETARY CONTRIBUTIONS OVER \$50 – COMMITTEES ONLY**

*Please Type or Print*  
*(Use copies of this page as needed)*

Date	Name and Address of Contributor	Employer/Occupation And Place of Business	Total Contributions for filing period	Cumulative Total
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
			<input type="checkbox"/> Primary <input type="checkbox"/> Run-off <input type="checkbox"/> General <input type="checkbox"/> Special	
<b>8. Total Itemized Monetary Contributions</b>				
<b>9. Total Nonitemized Monetary Contributions</b>				
<b>10. Total Monetary Contributions This Report (includes lines 8 and 9)</b>				

**11. NONMONEY CONTRIBUTIONS – COMMITTEES ONLY**  
(Itemize if fair market value exceeds \$50)

Date	Full Name, Mailing Address and Zip Code of Contributor	Employer/Occupation	Total	Cumulative Total
<b>12. Total Itemized Nonmoney Contributions</b>				
<b>13. Total Nonitemized Nonmoney Contributions</b>				
<b>14. Total Nonmoney Contributions This Report (includes lines 12 and 13)</b>				

**15. ITEMIZED EXPENDITURES OVER \$100 – INDIVIDUALS, COMMITTEES, AND OTHER ENTITIES**

*Please Type or Print*  
*(Use copies of this page as needed)*

Name and Address of Supplier/Payee	Description of Expenditure	Date of Disbursement	Amount of Disbursement
16. Total Itemized Expenditures This Report			
17. Total Nonitemized Expenditures This Report			
18. Total Expenditures This Report (includes lines 16 and 17)			

# CODE SECTIONS

## **Ark. Code Ann. Section 7-1-103**

### **7-1-103. Miscellaneous misdemeanor offenses - Penalties.**

(a) The violation of any of the following shall be deemed misdemeanors punishable as provided in this section:

(1) It shall be unlawful for any person to appoint or offer to appoint anyone to any office or position of trust, or for any person to influence, attempt to influence, or offer to influence the appointment, nomination, or election of any person to office in consideration of the support or assistance of the person for any candidate in any election in this state;

(2)(A) It shall be unlawful for any public servant, as defined in § 21-8-402, to devote any time or labor during usual office hours toward the campaign of any other candidate for office or for the nomination to any office; and

(B) It shall be unlawful for any public servant, as defined in § 21-8-402, to circulate an initiative or referendum petition or to solicit signatures on an initiative or referendum petition in any public office of the state, county, or municipal governments of Arkansas or during the usual office hours or while on duty for any state agency or any county or municipal government in Arkansas;

(3) It shall be unlawful for any public servant, as defined in § 21-8-402, to use any office or room furnished at public expense to distribute any letters, circulars, or other campaign materials unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation. It shall further be unlawful for any public servant to use for campaign purposes any item of personal property provided with public funds;

(4) It shall be unlawful for any person to assess any public employee, as defined in § 21-8-402, for any political purpose whatever or to coerce by threats or otherwise any public employee into making a subscription or contribution for any political purpose;

(5) It shall be unlawful for any person employed in any capacity in any department of the State of Arkansas to have membership in any political party or organization which advocates the overthrow of our constitutional form of government;

(6) It shall be unlawful for any campaign banners, campaign signs, or other campaign literature to be placed on any cars, trucks, tractors, or other vehicles belonging to the State of Arkansas or any municipality or county in the state;

(7) All articles, statements, or communications appearing in any newspaper printed or circulated in this state or on radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall be preceded or followed by the words "Paid Political Advertisement" or "Paid Political Ad" in conspicuous letters;

(8) [Repealed.]

(9)(A) No election official acting in his official capacity shall do any electioneering on any election day or any day on which early voting is allowed. Except as provided in subdivisions (B) and (C) of this subdivision (a)(9), no person shall hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever in the building or within one hundred feet (100') of

the primary exterior entrance used by voters to the building containing the polling place on election day.

(B) During early voting days no person shall hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever during early voting hours in the building or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the early voting site nor engage in those activities with persons standing in line to vote whether within or without the courthouse.

(C) When the early voting occurs at a facility other than the county clerk's office, no person shall hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever in the building or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the polling place;

(10) No election official shall perform any of the duties of the position before taking and subscribing to the oath provided for in § 7-4-110;

(11) No person applying for a ballot shall swear falsely to any oath administered by the election officials with reference to their qualifications to vote;

(12) No person shall willfully cause or attempt to cause his own name to be registered in any other election precinct than that in which he is or will be before the next ensuing election qualified as an elector;

(13) During any election, no person shall remove, tear down, or destroy any booths or supplies or other conveniences placed in any booth or polling site for the purpose of enabling the voter to prepare his ballot;

(14) No person shall take or carry any ballot obtained from any election official outside of the polling room or have in his possession outside of the polling room before the closing of the polls any ballot provided by any county election commissioners;

(15) No person shall furnish a ballot to any elector who cannot read informing him that it contains a name or names different from those which are written or printed thereon or shall change or mark the ballot of any elector who cannot read so as to prevent the elector from voting for any candidate, act, section, or constitutional amendment as the elector intended;

(16) No election official or other person shall unfold a ballot or without the express consent of the voter ascertain or attempt to ascertain any vote on a ballot before it is placed in the ballot box;

(17) No person shall print or cause to be printed any ballot for any election held under this act with the names of the candidates appearing thereon in any other or different order or manner than provided by this act;

(18) No election official shall permit the vote of any person to be cast in any election precinct in this state in any election legally held in this state when the person does not appear in person at the election precinct and actually cast the vote. This subdivision shall not apply to persons entitled to cast absentee ballots;

(19)(A) No person shall vote or offer to vote more than one (1) time in any election held in this state, either in person or by absentee ballot, or shall vote in more than one (1) election precinct in any election held in this state.

(B) No person shall cast a ballot or vote in the preferential primary of one (1) political party and then cast a ballot or vote in the general primary of another political party in this state;

- (20) No person shall:
- (A) Vote, knowing himself not to be entitled to vote;
  - (B) Vote more than once at any election, or knowingly cast more than one (1) ballot, or attempt to do so;
  - (C) Alter or attempt to alter any ballot after it has been cast;
  - (D) Add or attempt to add any ballot to those legally polled at any election either by fraudulently introducing it into the ballot box before or after the ballots have been counted or at any other time or in any other manner with the intent or effect of affecting the count or recount of the ballots;
  - (E) Withdraw or attempt to withdraw any ballot lawfully polled with the intent or effect of affecting the count or recount of the ballots; or
  - (F) In any manner interfere with the officials lawfully conducting the election or the canvass or with the voters lawfully exercising their right to vote at the election;
- (21) No person shall make any bet or wager upon the result of any election in this state;
- (22) No election official, poll watcher, or any other person in or out of this state in any primary, general, or special election in this state shall divulge to any person the results of any votes cast for any candidate or on any issue in the election until after the closing of the polls on the day of the election. The provisions of this subdivision (22) shall not apply to any township or precinct in this state in which all of the registered voters therein have voted prior to the closing of the polls in those instances where there are fifteen (15) or fewer registered voters in the precinct or township; and
- (23) Any person, election official, county clerk, or deputy clerk who violates any provisions of the absentee voting laws, § 7-5-401 et seq., shall be punished as provided in this section.
- (b)(1) Except as otherwise provided, the violation of any provision of this section shall be a Class A misdemeanor.
- (2)(A) Any person convicted under the provisions of this section shall thereafter be ineligible to hold any office or employment in any of the departments in this state.
- (B)(i) If any person is convicted under the provisions of this section while employed by any of the departments of this state, he shall be removed from employment immediately.
- (ii) If any person is convicted under the provisions of this section while holding public office, the conviction shall be deemed a misfeasance and malfeasance in office and shall subject the person to impeachment.
- (c) Any violation of this act not covered by this section and § 7-1-104 shall be considered a Class A misdemeanor and shall be punishable as such.

## **Ark. Code Ann. Section 7-1-104**

### **7-1-104. Miscellaneous felonies - Penalties.**

- (a) The following offenses shall be deemed felonies punishable as provided in this section:
- (1) No person shall falsely make or fraudulently destroy any certificate of nominations or any part thereof, file any certificate of nominations knowing the certificate or any part thereof to be false, suppress any nomination or any part thereof which has been filed, or forge or falsely write the name or initials of any election official on any ballot;
  - (2) No public official or other person shall in any manner willfully or corruptly permit any person not entitled to register for the purpose of voting to register, nor shall a public official or other person forge or attempt to forge a registration;
  - (3) No person shall vote in any election in the state unless the person is a qualified elector of this state and has registered to vote in the manner provided by law;
  - (4) It shall be unlawful for any person to offer, accept, receive, or pay any person any money, goods, wares, or merchandise or solicit any money, goods, wares, or merchandise for the purpose of influencing his or her vote during the progress of any election in this state;
  - (5) It shall be unlawful for any person to make any threat or attempt to intimidate any elector or the family, business, or profession of the elector;
  - (6) It shall be unlawful for any person to prevent or to interfere with any qualified elector from voting at any election, or to attempt to prevent or interfere with any qualified elector from voting at any election, provided that this subdivision (a)(6) shall not prohibit good faith challenges of ballots or voters according to law by election officials, candidates, or authorized representatives of candidates, political parties, or ballot issues;
  - (7) It shall be unlawful for any person to attend any polling site on election day and hand out or give away any campaign cards, placards, or other articles for the purpose of influencing the electors to vote for any candidate, except in the manner now provided by law;
  - (8) No person shall tamper with a voting machine or fraudulently affect or attempt to affect its results;
  - (9) No person may cast a ballot in more than one (1) party primary election on the same day in this state or for candidates for more than one (1) political party;
  - (10) No person shall vote in any election more than one (1) vote;
  - (11) No person shall vote or attempt to vote other than his or her legal ballot;
  - (12) No election official shall knowingly permit any person to vote other than his or her legal ballot in any election;
  - (13) No election official or other person shall fraudulently permit any person to vote illegally, refuse the vote of any qualified elector, or cast up or make a false return of any election;
  - (14) No election official or other person shall willfully make a false count of any election ballots or falsely or fraudulently certify the returns of any election;
  - (15) No person shall fraudulently change, alter, or obliterate the poll books or books of any election or break any seals upon any ballot box, voting machine, or stub box, except as authorized by law;
  - (16) No person shall contrive, alter, forge, counterfeit, detain, mutilate, steal, secrete, or destroy any election returns or election materials for the purpose of hindering or preventing or falsely reporting a tabulation or check of the returns; and



(17) Any person who violates the provisions of § [7-5-702](#) or who shall disclose how any voter may have voted unless compelled to do so in a judicial proceeding shall be deemed guilty of a Class D felony and punished as provided in this section.

(b)(1) Any person convicted of a felony as defined in this section shall be guilty of a Class D felony.

(2)(A) Any person convicted of a felony as defined in this section shall be barred from holding public office or employment in any of the departments of the state from the date of his conviction.

(B)(i) If the person is employed by any of the departments of this state at the time of his conviction, he shall be removed from employment immediately.

(ii) If any person is convicted under the provisions of this section while holding public office, the conviction shall be deemed a misfeasance and malfeasance in office and shall subject the person to impeachment.

## **Ark. Code Ann. Section 7-3-108**

### **7-3-108. Communist or subversive parties - New parties - Affidavit required - Penalty.**

(a) No political party shall be recognized, qualified to participate, or permitted to have the names of its candidates printed on their ballot in any election in this state:

(1) Which is directly or indirectly affiliated by any means whatsoever with the Communist Party of the United States, the Third Communist International, or any other foreign agency, political party, organization, or government; or

(2) Which either directly or indirectly advocates, teaches, justifies, aids, or abets the overthrow by force or violence, or by any unlawful means, of the government of the United States or this state; or

(3) Which directly or indirectly carries on, advocates, teaches, justifies, aids, or abets a program of sabotage, force and violence, sedition, or treason against the government of the United States or this state.

(b)(1) No newly organized political party shall be recognized or qualified to participate, or permitted to have the names of its candidates printed on the ballot in any election in this state until it has filed an affidavit, by the officers of the party in this state under oath, that:

(A) It is not directly or indirectly affiliated by any means whatsoever with the Communist Party of the United States, the Third Communist International, or any other foreign agency, political party, organization, or government;

(B) It does not either directly or indirectly advocate, teach, justify, aid, or abet the overthrow by force or violence or by any unlawful means of the government of the United States or this state; or

(C) It does not directly or indirectly carry on, advocate, teach, justify, aid, or abet a program of sabotage, force and violence, sedition, or treason against the government of the United States or this state.

(2) The affidavit shall be filed with the Secretary of State.

(c) Any person who shall violate any provision of this section shall be guilty of a misdemeanor, and upon conviction the person shall be fined in any sum not less than one hundred dollars

(\$100) nor more than one thousand dollars (\$1,000) and, in addition thereto, may be imprisoned for not more than six (6) months.

## **Ark. Code Ann. Section 7-6-101**

### **7-6-101. Campaign services contract - Right of action.**

No action shall be brought to charge any person upon any contract, promise, or agreement for any service rendered to or for him as a candidate in any election in this state or in aid of his campaign for the nomination to any office in this state unless the agreement, promise, or contract, upon which said action shall be brought, or some memorandum or note thereof, shall be made in writing and signed by the party to be charged therewith, or signed by some other person by him thereunto properly authorized in writing.

## **Ark. Code Ann. Section 7-6-102**

### **7-6-102. Political practices pledge - Penalty for falsification.**

(a)(1) Candidates for state or district offices shall file with the Secretary of State and candidates for county, municipal, or township offices shall file with the county clerk of the county not later than 12:00 noon fourteen (14) days after the third Tuesday in March, before the preferential primary election, a pledge in writing, stating that they are familiar with the requirements of §§ [7-1-103](#), [7-1-104](#), [7-3-108](#), and [7-6-101](#) - [7-6-104](#) and will, in good faith, comply with their terms.

(2) Persons nominated as independent candidates shall file the political practices pledge at the time of filing the petition for nomination.

(3) Independent candidates for municipal office shall file their political practices pledges with the county clerk not fewer than ninety (90) calendar days before the general election by 12:00 noon.

(4) Persons who wish to be write-in candidates shall file the political practices pledge at the time of filing the notice to be a write-in candidate. A write-in candidate shall file the political practices pledge with the Secretary of State if a candidate for a state or district office or with the county clerk if a candidate for a county, township, or municipal office.

(b) All political practices pledge forms for state or district offices and county, municipal, or township offices shall be required to contain the following additional pledge:

"I hereby certify that I have never been convicted of a felony in Arkansas or in any other jurisdiction outside of Arkansas."

(c) Any person who has been convicted of a felony and signs the pledge stating that he has not been convicted of a felony shall be guilty of a Class D felony.

(d) For purposes of this section, a person shall be qualified to be a candidate for a state, district, county, municipal, and township office and may certify that he has never been convicted of a felony if his record was expunged in accordance with §§ [16-93-301](#) - [16-93-303](#), or a similar expunction statute in another state, provided, the candidate presents a certificate of expunction from the court that convicted the prospective candidate.

(e)(1) The name of a candidate who fails to sign and file the pledge shall not appear on the ballot.

(2)(A) However, within five (5) days following the first Tuesday in April before the preferential primary election or within five (5) days from which the pledge is required to be filed, the Secretary of State or the county clerk shall notify by certified mail which requires a return receipt signed by the candidate those candidates who have failed to file a signed political practice pledge. The notice shall include a copy of the written pledge required by this section.

(B) Failure of the state or district candidate to file with the Secretary of State or of the county, municipal, or township candidate to file with the county clerk within twenty (20) days of receipt or refusal of this notice shall prevent the candidate's name from appearing on the ballot.

### **Ark. Code Ann. Section 7-6-103**

#### **7-6-103. Campaign participation by judges - Penalty.**

(a) It shall be unlawful for any judge of the municipal, circuit, or chancery courts and any Justice of the Supreme Court to participate in the campaign of any candidate for office at any election, other than his own.

(b) The word "participation", as used in this section, shall mean managing of another's campaign or any solicitation on his behalf.

(c) Participation shall be deemed to be misfeasance and malfeasance in office and shall subject the judge to impeachment therefor.

### **Ark. Code Ann. Section 7-6-104**

#### **7-6-104. Defamatory political broadcasts.**

Neither the owner, licensee, nor operator of a visual or sound radio broadcasting station or network of stations nor his agents or employees shall be liable for any damages for any defamatory statement published or uttered in, or as a part of, a visual or sound broadcast by a candidate for political office in those instances in which, under the acts of Congress or the rules and regulations of the Federal Communications Commission, the broadcasting station or network is prohibited from censoring the script of the broadcast.

### **Ark. Code Ann. Section 7-6-215**

#### **7-6-215. Registration by approved political action committees.**

(a)(1)(A) To qualify as an approved political action committee, the committee shall register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year which, in the aggregate, exceed five hundred dollars (\$500).

(B) Such registration shall be annually renewed by January 15, unless the committee has ceased to exist.

(C) Registration shall be on forms provided by the Secretary of State, and the contents therein shall be verified by an affidavit of an officer of the committee.

(2)(A) The committee shall maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person who contributed to the committee, along with the amount contributed.

(B) Furthermore, the committee shall maintain for a period of four (4) years records evidencing the name and address of each candidate who received a contribution from the committee, along with the amount contributed.

(b) The approved political action committee shall disclose on the registration form the following information:

(1) The name, address, and, where available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers, provided if the committee's name is an acronym, then both it and the words forming the acronym shall be disclosed; and

(2) The professional, business, trade, labor, or other interests represented by the committee, including any individual business, organization, association, corporation, labor organization, or other group or firm whose interests will be represented by the committee.

(3) [Repealed.]

(c) A small donor political action committee shall comply with all provisions of this section.

(d)(1) Within fifteen (15) calendar days after the end of each calendar quarter, political action committees shall file a quarterly report with the Secretary of State, including the following information:

(A) The total amount of contributions received and the total amount of contributions made during the filing period and the cumulative amount of those totals;

(B) The current balance of committee funds;

(C) The name and address of each person who made a contribution, or contributions, to the committee which, in the aggregate, exceeded five hundred dollars (\$500), the contributor's place of business, employer, occupation, the date of the contribution, the amount contributed and the total contributed for the year;

(D) The name and address of each candidate, if any, to whom the committee made a contribution or contributions which, in the aggregate, exceeded fifty dollars (\$50.00) during the filing period, with the amount contributed and the office sought for each candidate;

(E) The total amount of expenditures made for administrative expenses and, for each single expenditure which exceeds one hundred dollars (\$100), an itemization including the amount of the expenditure, the name and address of the person to whom the expenditure was made, and the date the expenditure was made; and

(F) Any change in information required in subsection (b).

(2) The reports shall be verified by an affidavit of an officer of the committee stating that to the best of his knowledge and belief the information so disclosed is a complete, true, and accurate financial statement of the committee's contributions received and made.

## **Ark. Code Ann. Section 16-90-901**

### **16-90-901. Definition.**

(a)(1) As used in §§ [5-64-407](#), [5-4-311](#), [16-90-601](#), [16-90-602](#), [16-90-605](#), [16-93-301](#) - [16-93-303](#), and [16-93-1207](#), "expunge" shall mean that the record or records in question shall be sealed, sequestered, and treated as confidential in accordance with the procedures established by this subchapter.

(2) Unless otherwise provided by this subchapter, "expunge" shall not mean the physical destruction of any records.

(3) No person who pleads guilty or nolo contendere to, or is found guilty of, a sexual offense as defined in this section and in which the victim was under the age of eighteen (18) years shall be eligible to have the offense expunged under the procedures set forth in this subchapter.

(b) For purposes of this subchapter, "sexual offense" shall be defined as conduct prohibited by § [5-14-101](#) et seq., §§ [5-26-202](#), [5-27-602](#), [5-27-603](#), [5-27-605](#), [16-93-303\(a\)\(1\)\(B\)](#), and any other subsequently enacted criminal law prohibiting sexual conduct with a child.

## **Ark. Code Ann. Section 16-93-301**

### **16-93-301. Definition.**

As used in §§ 16-93-301 - 16-93-303, unless the context otherwise requires, the procedure, effect, and definition of "expungement" shall be in accordance with that established in § 16-90-901 et seq.

## **Ark. Code Ann. Section 16-93-302**

### **16-93-302. Penalties.**

(a)(1) No person may avail himself of the provisions of §§ 16-93-301 - 16-93-303 on more than one (1) occasion.

(2) Any person seeking to avail himself of the benefits of §§ 16-93-301 - 16-93-303 who shall falsely testify, swear, or affirm to the court that he has not previously availed himself of the benefits of §§ 16-93-301 - 16-93-303 shall be deemed guilty of a felony and shall, upon conviction, be punished by a fine of not less than five hundred dollars (\$500) nor more than two thousand five hundred dollars (\$2,500), or by imprisonment in the state penitentiary for not less than one (1) year nor more than five (5) years, or by both the fine and imprisonment.

(b)(1) Any person charged under the provisions of §§ 16-93-301 - 16-93-303 with keeping the confidential records of first offenders, as provided in § 16-93-301, who shall divulge any information contained in the records to any person or agency other than a law enforcement officer or judicial officer shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500).

(2) Each violation shall be considered a separate offense.

## **Ark. Code Ann. Section 16-93-303**

### **16-93-303. Procedure.**

(a)(1)(A) Whenever an accused enters a plea of guilty or nolo contendere prior to an adjudication of guilt, the judge of the circuit or district court, in the case of a defendant who has not been previously convicted of a felony, without entering a judgment of guilt and with the consent of the defendant, may defer further proceedings and place the defendant on probation for a period of not less than one (1) year, under such terms and conditions as may be set by the court.

(B) Provided, however, that no person who pleads guilty or nolo contendere to, or is found guilty of, a sexual offense as defined by § [5-14-101](#) et seq. and §§ [5-26-202](#), [5-27-602](#), [5-27-603](#), and [5-27-605](#) in which the victim was under eighteen (18) years of age shall be eligible for expungement of the record under this subchapter.

(2) Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided.

(3) Nothing in this subsection shall require or compel any court of this state to establish first offender procedures as provided in §§ [16-93-301](#) - [16-93-303](#), nor shall any defendant be availed the benefit of §§ [16-93-301](#) - [16-93-303](#) as a matter of right.

(b) Upon fulfillment of the terms and conditions of probation or upon release by the court prior to the termination period thereof, the defendant shall be discharged without court adjudication of guilt, whereupon the court shall enter an appropriate order which shall effectively dismiss the case, discharge the defendant, and expunge the record, if consistent with the procedures established in § [16-90-901](#) et seq.